

COURT FILE NO. S177625  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN

COLBRY HOLDINGS INC.

PETITIONER

AND

SUPERIOR GLASS CANADA INC.

RESPONDENTS

**REPORT OF FTI CONSULTING CANADA INC.  
IN ITS CAPACITY AS COURT-APPOINTED  
RECEIVER OF SUPERIOR GLASS CANADA INC.**

**December 5, 2017**

## A. INTRODUCTION

1. On August 18, 2017, FTI Consulting Canada Inc. was appointed receiver (the “**Receiver**”) of the assets, undertakings and properties of Superior Glass Canada Inc. (“**SGC**” or the “**Company**”) pursuant to the order (the “**Receivership Order**”) of this Honourable Court.
  
2. The Receivership Order authorized and empowered the Receiver to, *inter alia*:
  - (a) take possession and control of the Property and any and all proceeds, receipts and disbursements arising out of or from the Property;
  - (b) engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons to assist the Receiver;
  - (c) receive and collect all monies and accounts now owed or hereafter owing to SGC;
  - (d) execute, assign, issue and endorse documents of whatever nature in respect of any of the Property;
  - (e) settle, extend or compromise any indebtedness owing to the Company;
  - (f) sell, convey, transfer, lease, assign or otherwise dispose of the Property;
  - (g) apply for any vesting order or other orders necessary to convey the Property;
  - (h) report to, meet with and discuss with such affected Persons as the Receiver deems appropriate on all matters relating to the Property; and
  - (i) take any steps reasonably incidental to the exercise of these powers.

3. The Receiver's reports and other information in respect of these proceedings are posted on the Receiver's website at <http://cfcanada.fticonsulting.com/superiorglass/>.
4. The purpose of this report, the Receiver's first report (the "**First Report**"), is to inform the Court on the following:
  - (a) The status of various aspects of the Receivership proceedings;
  - (b) The Receiver's receipts and disbursements for the period of August 18, 2017 to December 5, 2017;
  - (c) To seek approval of the Receiver's fees and expenses to October 31, 2017 and the fees and expenses of its legal counsel to October 31, 2017; and
  - (d) To seek the approval of this Honourable Court to amend paragraph 16 of the Receivership Order to increase the limit of the Receiver's Charge.

## **B. TERMS OF REFERENCE**

5. In preparing this report, the Receiver has relied upon unaudited financial information, other information available to the Receiver and, where appropriate, SGC's books and records and discussions with various parties (collectively, the "**Information**").
6. Except as described in this Report:
  - (a) The Receiver has not audited, reviewed or otherwise attempted to verify the accuracy or completeness of the Information in a manner that would comply with Generally Accepted Assurance Standards pursuant to the Chartered Professional Accountants of Canada Handbook; and

- (b) The Receiver has not examined or reviewed financial forecasts and projections referred to in this report in a manner that would comply with the procedures described in the Chartered Professional Accountants of Canada Handbook.
7. Future oriented financial information reported or relied on in preparing this report is based on assumptions regarding future events; actual results may vary from forecast and such variations may be material.

Unless otherwise stated, all monetary amounts contained herein are expressed in Canadian Dollars. Capitalized terms not otherwise defined herein are as defined in the Receivership Order, other Order's granted in the Receivership proceedings or in the Receiver's previous reports.

### **C. BACKGROUND**

8. The Company is a glass installation business which operated from leased premises in Burnaby, British Columbia.
9. The Company commenced operations approximately 30 years ago and was operated successfully, establishing a strong reputation for quality workmanship and its ability to complete unique projects. The Company focused mainly on office renovations such as glass wall partitions, interior staircases or feature walls.
10. SGC's revenue was historically in the range of \$10 - \$12 million with its operations concentrated on the lower mainland of British Columbia.
11. In late 2013, the Company was purchased by the current owners for consideration in the form of cash and a promissory note taken back by the former owners.
12. In fiscal 2015, the Company expanded its operations into the US and grew its consolidated revenue to \$17.8 million in fiscal 2015 and \$15.0 million in fiscal 2016. With the growth in revenue, SGC achieved a net income of \$692,000 in fiscal 2015.

13. However, in fiscal 2016, the Company experienced several issues with the project management on some of its installations in the US and as a result, the Company incurred a net loss of \$1.5 million in fiscal 2016.
14. The challenges experienced in the US persisted into fiscal 2017 resulting in the Company's operating line of credit with its primary secured lender to approach and exceed its approved limit.
15. In early 2017, the Company's owners decided to withdraw from the US and shut down its operations.
16. In April 2017, SGC engaged FTI Consulting Canada Inc. ("FTI") to assist the Company with a sale and investor solicitation process to identify a party to acquire the business. It was anticipated that any sale would likely be an asset sale requiring the sale to be facilitated through a Court supervised process.
17. The Company continued to operate in the normal course while FTI conducted its sale process. However, with no remaining funding sources the Company decided to shut down operations and lay off its employees as of July 26, 2017.

#### **D. STATUS OF THE RECEIVERSHIP**

18. Subsequent to laying off its employees and prior to the appointment of the Receiver, the Company contacted Able Auctions (the "**Liquidator**") to remove all of the equipment and inventory from the Company's premises.
19. The Company entered into an Auction Agreement with the Liquidator and any assets with a value considered to be in excess of the costs to move it, were relocated to the Liquidators warehouse in Langley.
20. The Liquidator prepared the assets for auction, advertised on its website and conducted a live auction on September 16, 2017 and September 21, 2017.
21. The gross auction sales totaled \$58,879 and after deduction of commissions and moving costs, the net proceeds were \$40,059.

22. The assets not moved by the Liquidator primarily consisted of office furniture and equipment, miscellaneous extruded aluminum, sheets of glass and miscellaneous shop supplies.
23. A representative of the company carrying on business in the unit beside SGC approached the Receiver expressing an interest in the office furniture (the “**Interested Party**”). Accordingly the Receiver met with the Interested Party to review the furniture and determine if a sale could be worked out.
24. The Interested Party offered to acquire the remaining office furniture and also indicated that they had a customer who would be interested in acquiring the remaining assets in the warehouse including responsibility for clearing the warehouse.
25. Given the advice of the Liquidator that none of the remaining assets had any value in excess of the associated moving costs, the Receiver entered into a sale agreement with the Interested Party and sold the assets in place.
26. The proceeds from this sale amounted to \$4,000.
27. The Receiver never changed the locks or entered into possession of the Company’s premises as all of the assets and books and records necessary for collecting the accounts receivable had been removed prior to the receivership.
28. The Receiver retained the services of the former Finance Manager on a contract basis to assist with the finalization of regulatory filings and to provide support with the collection of the outstanding accounts receivable.
29. The Receiver mailed out the required statutory notice to creditors (copy attached as Appendix A), opened new bank accounts and sent out the required notices to former employees with the calculation of their claim amount pursuant to the Wage Earner Protection Program (“**WEPP**”).

30. Several of the employee claims have now been paid out by Service Canada and accordingly the respective claim pursuant to section 81.4 of the Bankruptcy and Insolvency Act have been received by the Receiver.
31. The Receiver did not include the union employees in its original WEPP claims process as all of the employees had been paid up to their date of termination and there was no termination pay owing under the terms of the collective agreement.
32. However, the Receiver was subsequently contacted by legal counsel for the union who was enquiring about the WEPP process. The Receiver was made aware of the fact that the union had not been paid by the Company for several amounts either withheld from the union employees and not remitted or amounts due to the union pursuant to the collective agreement that had not been paid to the union.
33. As a result, the Receiver working with legal counsel for the union initiated WEPP claims for the union employees.
34. The Receiver will await the conclusion of the accounts receivable collection efforts and the finalization of the WEPP claims process to determine the appropriate distribution of surplus funds.
35. The Receiver also met with a representative of the Canada Revenue Agency to assist them with an audit of the Company's payroll account and goods and services account.
36. The Receiver has responded to a number of enquiries received from creditors and arranged for the return of certain third party goods upon receipt of a property proof of claim from the third party.
37. Subsequent to its appointment the Receiver prepared letters informing SGC's customers about the receivership and FTI's appointment as Receiver. The letters summarized the invoices indicated as being unpaid according to SGC's books and records and requested payment be directed to the Receiver.

38. According to the Company's books and records, the book value of the outstanding accounts receivable as at the date of the Receivership Order was approximately \$1.2 million.
39. As a result of the Receiver's letters, the Receiver has received correspondence from many of SGC's customers providing proof of payments already made or alleging counter claims for work not completed by SGC, liens filed by SGC's suppliers against SGC's customer's projects and claims for deficiencies.
40. To date the Receiver has collected approximately \$177,000 and upon confirmation by the former controller of SGC, written off \$259,000 due to the reasons noted previously.
41. Accordingly as at the date of this report, there is still a book value of approximately \$779,000 of outstanding accounts receivable to be collected or settled.
42. The Receiver has incurred many hours of time to investigate the counter claims advanced by SGC's customers in an attempt to negotiate settlement payments. Discussions with some of the larger debtors have advanced and settlements are expected to be reached in the near term.



43. The following table summarizes the Receiver's receipts and disbursements to date:

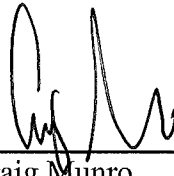
<b>Superior Glass Canada</b>	
<b>Statement of Receiver's Receipts and Disbursements</b>	
<b>for the period from August 18, 2017 to December 5, 2017</b>	
Collection of accounts receivable	\$ 177,286.21
Sale of fixed assets	62,879.00
Sale of inventory	2,098.21
Return of legal retainer	4,978.99
Miscellaneous receipts	115.25
Interest earned	185.89
Collection of GST	304.91
Collection of PST	426.88
<b>TOTAL RECEIPTS</b>	<b>248,275.34</b>
Auction commissions	13,769.75
Contractor	2,137.50
Moving costs	5,050.00
Bank charges	52.10
<b>TOTAL DISBURSEMENTS</b>	<b>21,009.35</b>
<b>EXCESS OF RECEIPTS OVER DISBURSEMENTS</b>	<b>\$ 227,265.99</b>

#### **D. INCREASE IN RECEIVER'S CHARGE**

44. Pursuant to paragraph 16 of the Receivership Order, the Receiver was provided with a first charge on the Property of the Company for a maximum amount of \$50,000.
45. Prior to the commencement of the Receivership, the Receiver under-estimated the amount of time and effort that would be expended in pursuing settlements and collection of the outstanding accounts receivable. Given the time already incurred by the Receiver and the estimated time to conclude the collection of the remaining accounts receivable, the Receiver requests this Honourable Court to approve an increase in the Receiver's Charge to \$125,000.

46. The Receiver believes it is in the interest of the stakeholders for the Receiver to continue its collection efforts.
47. The Receiver attaches as Appendix B to this report, a copy of its invoices for services rendered to October 31, 2017. The Receiver seeks the approval of this Honourable Court for its fees and expenses to October 31, 2017.
48. The Receiver attaches as Appendix C to this report, a copy of its legal counsel's invoice for services rendered to October 31, 2017. The Receiver seeks the approval of this Honourable Court for the fees and expenses of its legal counsel to October 31, 2017.
49. All of which is respectfully submitted this 5<sup>th</sup> day of December, 2017.

FTI Consulting Canada Inc.,  
in its capacity as the receiver of the assets,  
property and undertaking of Superior Glass  
Canada Inc.



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Name: Craig Munro  
Title: Managing Director,  
FTI Consulting Canada Inc.

# APPENDIX A



**Corporate Finance**

Pacific Centre  
701 West Georgia Street  
Suite 1502  
Vancouver, BC V7Y 1C6

fticonsulting.com

August 24, 2017

**To: All Known Creditors of Superior Glass Canada Inc. ("SGC")**

On August 18, 2017 FTI Consulting Canada Inc. was appointed as receiver of all the assets, undertakings and properties of SGC (the "**Receiver**") pursuant to an Order of the Honourable Mr. Justice Kent of the Supreme Court of British Columbia (the "**Receivership Order**"). A copy of the Receivership Order and other public materials in respect of the receivership are available at the Receiver's website:

<http://cfcanada.fticonsulting.com/superiorglass/>

Periodic updates on the progress of the receivership will be posted on the Receiver's website. The Receiver may be contacted by email at [robert.kleebaum@fticonsulting.com](mailto:robert.kleebaum@fticonsulting.com) or by phone at 403-454-6035.

Enclosed is a copy of the Receiver's Notice and Statement provided in accordance with Subsection 245(1) and 246(1) of the *Bankruptcy and Insolvency Act*.

A handwritten signature in black ink, appearing to be 'Rob Kleebaum'.

Yours very truly,  
FTI Consulting Canada Inc.  
In its capacity as receiver of Superior Glass Canada Inc.  
and not in its personal or corporate capacity.

**FORM 87****NOTICE AND STATEMENT OF THE RECEIVER**

(Subsection 245(1) and 246(1) of the Bankruptcy and Insolvency Act)

**IN THE MATTER OF THE RECEIVERSHIP OF****SUPERIOR GLASS CANADA INC. ("SGC")**

The Receiver gives notice and declares that:

1. On the 18<sup>th</sup> day of August, 2017 FTI Consulting Canada Inc., became the receiver in respect of the assets, undertakings and properties of SGC, an insolvent person, that is described below.

Accounts receivable	\$1,298,748
Due from related party	\$2,461,896
Inventory	\$133,860
Prepaid expenses	\$110,766
Fixed Assets & Equipment	\$164,744
Future income taxes	\$94,000
Goodwill	\$9,310,000

**Note:** the foregoing are the book value of the assets as indicated in the books and records of SGC as at the 30<sup>th</sup> day of June, 2017. The Receiver has not audited, reviewed, or otherwise attempted to verify the accuracy of the foregoing. The Receiver provides no comment on the realizable value of the assets.

2. FTI Consulting Canada Inc. was appointed receiver pursuant to an Order of the Honourable Mr. Justice Kent of the Supreme Court of British Columbia granted August 18, 2017.
3. The undersigned took possession or control of the property described above on the 18<sup>th</sup> day of August, 2017.

4. The following information relates to the receivership.

- a) Address of the insolvent person: 3121 Production Way  
Burnaby, British Columbia  
V5A 3H1
- b) Principal line of business: SGC operated a glass installation  
business primarily focused on  
commercial projects
- c) Location of business: SGC focused on projects  
primarily located throughout the  
lower mainland of BC
- d) Amounts owed by SGC to each known creditor who holds a security on the  
property described above:

<u>Creditor</u>	<u>Claim Amount (approximate)</u>
Bank of Montreal	\$5,390,000
Superior Glass (1996) Ltd.	\$1,207,000
Mercedes-Benz Financial Services Canada	Unknown
Howard Carter Lease Ltd.	Unknown
Pandion Capital Inc.	
Hugh and Beverly Palser	
Catherine Gibbons	
Trevor and Emily Greenway	\$3,348,000 (collectively)
Ford Credit Canada Leasing	Unknown
Colbry Holdings Inc.	\$1,100,000
J. Hilton Holdings Inc.	\$335,000

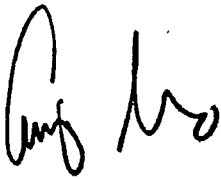
- e) The list of other creditors of the insolvent person and the amount owed to each  
creditor as stated in the books and records of SGC, and the total amount due by  
the insolvent person is attached hereto as Schedule "1".
- f) The intended plan of action of the Receiver during the receivership is to liquidate  
the remaining assets in a manner that maximizes the realization for creditors.  
This will likely involve an auction of the inventory and equipment and efforts to  
collect the outstanding accounts receivable.
- g) Contact person for the Receiver:

Robert Kleebaum  
FTI Consulting Canada Inc. in its capacity  
as Receiver of Superior Glass Canada Inc.  
Suite 720, 440 2<sup>nd</sup> Ave SW  
Calgary, AB T2P 5E9

Telephone: (403) 454-6035  
Email: robert.kleebaum@fticonsulting.com

Dated at Vancouver, British Columbia this 24<sup>th</sup> day of August, 2017.

FTI Consulting Canada Inc.,  
in its capacity as receiver of  
Superior Glass Canada Inc.  
And not in its personal capacity

A handwritten signature in black ink, appearing to read "Craig Munro". The signature is fluid and cursive, with the first name "Craig" and last name "Munro" clearly distinguishable.

Craig Munro, CIRP  
Managing Director

## Schedule A

Superior Glass Canada Inc

Unsecured Creditor Listing as at

August 18, 2017

All amounts in CDN

<b>Creditor Name</b>	<b>Unsecured</b>
1st Call Rentals Ltd.	\$ 10,913.77
A-1 Messenger Services	\$ 318.20
ABAN SECURITY SYSTEMS LTD	\$ 157.50
Acklands Grainger	\$ 519.54
Alaskan Copper & Brass Canada Inc.	\$ 470.40
Allmar Inc.	\$ 586.92
Allegra Design Print Mail	\$ 1,422.52
Ardan Warehousing and Logistics Inc.	\$ 262.50
Assa Abloy Entrance Systems Canada Inc.	\$ 8,610.00
Barry Hamel Welder Rentals	\$ 172.10
BC Hydro	\$ 1,011.22
Berkeley-Vadocz Engineering Inc.	\$ 4,307.51
Big O Tires	\$ 1,582.75
Norton Rose Fulbright Canada LLP	\$ 7,878.78
Burnaby Saw Service	\$ 120.66
Canadian Stainless Fasteners Inc.	\$ 219.29
Cascade Aqua Tech	\$ 188.16
Champion Commercial Products	\$ 605.53
FleetCor Commercial Card Management (Canada) Ltd	\$ 3,193.16
Coastal Curved Glass	\$ 949.76
Cognito Software	\$ 515.85
Creo Stone Inc.	\$ 1,302.00
C.R. Laurence Canada	\$ 25,400.76
Crosstown Metal Industries Ltd.	\$ 7,563.17
Dimension Canada Networks Inc.	\$ 735.00
District Council 38 Membership Services	\$ 81,263.53
Dorma Door Controls Ltd.	\$ 1,450.68
Downtown Custom Metal Works Ltd.	\$ 31,405.36
DW Optimum HVAC Services, Ltd.	\$ 1,057.88
Easi Entrance Automation Systems Inc.	\$ 2,594.81
Export Development Canada	\$ 2,031.03
EMCO Corporation	\$ 353.92
Esthers Sheet Metal, Ltd	\$ 3,640.27
Ever-Brite Aluminum Products (1998) Ltd.	\$ 5,398.56
F & G Delivery	\$ 7,380.32
Fastenal Canada Ltd.	\$ 23,220.06
Feature Millwork Incorporated	\$ 4,147.75



<b>Creditor Name</b>	<b>Unsecured</b>
Federal Express Canada Ltd.	\$ 88.75
Flashco Metals Inc	\$ 2,274.72
Flowers CNC Machining Ltd.	\$ 5,897.92
FLS Transportation Services Ltd.	\$ 7,339.35
Fortis BC-Natural Gas	\$ 2,427.50
FoxFab Metal Works Inc.	\$ 3,809.83
Frost Works	\$ 17,167.68
Garibaldi Glass Industries, Inc.	\$ 59,469.63
GE Toner Ink Ltd.	\$ 2,727.38
GLASSOPOLIS	\$ 5,894.89
Grant Thornton	\$ 57,523.31
Harris Coating Systems Ltd.	\$ 7,996.00
Hartung Glass Canada	\$ 123.19
Hays Specialist Recruitment (Canada) Inc.	\$ 59,250.00
Hilti (Canada) Corporation	\$ 950.55
Richelieu Hardware Canada LTD	\$ 16,053.42
ICS Clean Supplies Ltd.	\$ 80.37
Imperial Sign	\$ 30,996.00
K&H Dispatch Co Ltd.	\$ 950.09
K.G. Taylor Engineering Ltd.	\$ 3,675.00
KMS Tools & Equipment Ltd	\$ 1,647.32
Layton Consulting Ltd.	\$ 14,339.77
Level4	\$ 2,735.25
Looking Glass Designs	\$ 617.92
Martin Hershberg P.Eng.	\$ 7,875.00
Medora Solutions Inc.	\$ 115.50
Mega Cranes Ltd.	\$ 1,932.00
Metal Supermarkets Burnaby	\$ 184.36
Metal Supermarkets London ON	\$ 500.74
Modern Stretch Form Inc.	\$ 4,378.50
Moto Transportation	\$ 445.00
MX Glass & Mirror Mfg. Ltd.	\$ 21,191.44
National Glass Ltd.	\$ 740.46
Newco Solar Solutions	\$ 706.32
Richard Stone	\$ 1,870.15
Oldcastle Building Envelope	\$ 95,561.26
Orca Finishing's and Aluminum Ltd	\$ 7,763.23
Osprey Management Partners	\$ 75,986.90
Overhead Door Company of Vancouver	\$ 15,487.22
Patrick De Meester	\$ 204.34
PFG Glass Industries	\$ 17,533.42
Polar Glazing Ltd.	\$ 3,839.95

<b>Creditor Name</b>	<b>Unsecured</b>
Poly-Chlor Plastic Industries Ltd.	\$ 1,733.09
Professional Quality Construction Services Ltd	\$ 5,877.90
PRODUCTION WAY PROPERTIES LTD.	\$ 6,561.51
Purified Water Store - Port Coquitlam	\$ 553.08
Renown Industries Ltd.	\$ 178.50
Ridge Communications Inc.	\$ 259.88
Sabic Polymershapes	\$ 917.28
Shred-It BC	\$ 476.84
Sky-Hi Scaffolding Ltd.	\$ 375.62
Skylite Glazing Solutions Ltd.	\$ 1,680.00
Szemenyei MacKenzie Group Law Firm	\$ 1,034.50
Stanley Black & Decker Canada Corporation	\$ 26,431.13
Standard Aluminum Products Inc.	\$ 8,515.81
Stella Custom Glass Hardware Inc	\$ 27,632.84
Studio G3 Glass Graphic Group Ltd.	\$ 211.74
Surf-Tech Industries 2009 Ltd.	\$ 1,904.00
Super Save Disposal Inc.	\$ 3,584.27
Suspended Stages Inc.	\$ 2,625.00
Telus Communications (B.C.) Inc.	\$ 1,272.93
Telus	\$ 7,451.88
Golden Ears Bridge Tolls	\$ 34.07
TREO Port Mann	\$ 1,314.02
Vanguard Cleaning Systems	\$ 740.25
WesternOne Rentals & Sales	\$ 4,077.70
	<b><u>\$ 908,746.69</u></b>

# **APPENDIX B**



*Invoice Remittance*

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

August 31, 2017  
FTI Invoice No. 29002790  
FTI Job No. 456216.0002  
Terms: Payment on Presentation

Current Invoice Period: Charges Posted through August 31, 2017

	<i>CAD (\$)</i>
Professional Services.....	\$32,046.50
Expenses.....	\$0.00
Total Fees and Expenses.....	\$32,046.50
GST Registration No. 835718024RT0001 .....	\$1,602.33
Total Amount Due this Period.....	\$33,648.83
<b>Total Amount Due.....</b>	<b><u>\$33,648.83</u></b>

*Please Wire Transfer To:*

Bank of Nova Scotia  
Scotia Plaza, 44 King Street West  
Toronto, ONT M5H 1H1  
Swift Code: NOSCCATT  
Bank Number: 002  
Beneficiary: FTI Consulting Canada Inc.  
Beneficiary account number: 476960861715



## Invoice Summary

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

August 31, 2017  
FTI Invoice No. 29002790  
FTI Job No. 456216.0002  
Terms Payment on Presentation

Current Invoice Period: Charges Posted through August 31, 2017

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<b>Name</b>	<b>Title</b>	<b>Rate</b>	<b>Hours</b>	<b>Total</b>
Craig Munro	Managing Director	\$525.00	50.4	\$26,460.00
Robert Kleebaum	Senior Consultant	\$350.00	14.2	\$4,970.00
Brandi Swift	Consultant	\$325.00	1.8	\$585.00
Kathleen Foster	Administrative Receptionist	\$105.00	0.3	\$31.50
<b>Total Hours and Fees</b>			<b>66.7</b>	<b>\$32,046.50</b>

**GST Registration No. 835718024RT0001** **\$1,602.33**

**Invoice Total for Current Period** **\$33,648.83**

**PROFESSIONAL SERVICES**

**Craig Munro**

08/07/17	Draft report of Proposed Receiver.	4.00	
08/08/17	TC with K Siddall. Mtg with C Ross re payroll records. Arrange with Able Auctions to pick up cabinets. TC with L Hiebert re status of operations. Email exchange with CS re cabinets and other issues. Revise report of Proposed Receiver.	4.00	
08/09/17	Rev notice of petition, draft Receivership Order, affidavit of C Szemenyei and notice of application. Email comments to K Siddall. Email to C Ross re payroll queries. Email updated report to C Szemenyei. Prep consent to act.	4.40	
08/10/17	TC with A Szemenyei. TC with CRA auditor. Follow up with Able Auctions. TC with K Siddall re update. Update report re issues discussed with KS. TC with creditor.	3.10	
08/11/17	Follow up with K Siddall. Update report and forward to K Siddall. Email C Szemenyei re CRA. Follow up with Able Auctions.	2.60	
08/14/17	Rev creditor list. Email to C Szemenyei re leases. Disc with J Dodd re equipment.	3.10	
08/15/17	Mtg with Mr. Chohan, CRA re payroll and GST audit. Email to C Ross re audit and steps to prep for receivership.	3.60	
08/16/17	Follow up with lessors. TC with C Ross re info requests. Email to C Szemenyei. Rev employee spreadsheet and prep termination pay schedule.	4.00	
08/17/17	Rev payroll for WEPP claims.	2.80	
08/18/17	Prep Receiver's report. Prep creditor list. Prep receiver's notice. Send emails to creditors.	3.70	
08/20/17	Rev and revise creditor list. Prep Receiver's notice. Prep Receiver's report. Email to Carter Auto. Email to L Hiebert re query	3.40	
08/21/17	Prep docs for banking. Email and TC with R Kleebaum re creditor mailing. Email to D Ullman re receiver counsel and other issues. Email to C Szemenyei re follow up.	1.40	
08/22/17	Email exchange with C Ross re action items. Follow up with Carter Auto re leases. Follow up re mailing. Email with J Dodd re fixed assets and inventory and leased assets.	2.00	
08/28/17	Set up A/R control ledger. Update for collections. Mtg with C Ross. Banking. Email R Laity re MB vehicles.	3.90	
08/30/17	Prep letters for A/R collection. Email to C Szemenyeo re info requests.	1.80	
08/31/17	TC with PCL re A/R. Mtg with R Wilcox re office furniture. Attend site, Response to creditor enquiry. Update A/R collections. Email to T Greenway re US lawyer. Email to Carter Auto. Email to C Szemenyei re info.	2.60	
	\$525.00 per hour x total hrs of	50.40	\$26,460.00

**Robert Kleebaum**

08/23/17	Creating creditor mailing list, creating initial receivership documents,	6.00	
08/28/17	Reviewing and responding to emails and creditor calls,	1.20	
08/29/17	Updating ascend, sending Receivership package to OSB & CRA, initial file set up,	2.60	
08/30/17	Completing OSB requests to issue Estate ID number,	0.50	
08/31/17	Reviewing and responding to creditor emails and calls, sending WEPP Packages to employees,	3.90	
	\$350.00 per hour x total hrs of	14.20	\$4,970.00



*Invoice Activity*

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**Brandi Swift**

08/21/17	Phone call with Rob Kleebaum regarding mail out	0.30	
08/23/17	Receivership mail out	1.50	
	<u>\$325.00 per hour x total hrs of</u>	<u>1.80</u>	<u>\$585.00</u>

**Kathleen Foster**

08/29/17	Website update performed for FTI Case Sites for Superior Glass.	0.30	
	<u>Requested by email by Robert Kleebaum.</u>	<u>\$105.00 per hour x total hrs of</u>	<u>0.30</u>
			<u>\$31.50</u>

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**Invoice Remittance**

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

September 30, 2017  
FTI Invoice No. 29002868  
FTI Job No. 456216.0002  
Terms: Payment on Presentation

Current Invoice Period: Charges Posted through September 30, 2017

	<i>CAD (\$)</i>
Professional Services.....	\$19,491.50
Expenses.....	\$606.07
Total Fees and Expenses.....	\$20,097.57
GST Registration No. 835718024RT0001 .....	\$1,004.88
Total Amount Due this Period.....	\$21,102.45
Previous Balance Due.....	\$33,648.83
<b>Total Amount Due.....</b>	<b><u>\$54,751.28</u></b>

***Please Wire Transfer To:***

**Bank of Nova Scotia**  
**Scotia Plaza, 44 King Street West**  
**Toronto, ONT M5H 1H1**  
**Swift Code: NOSCCATT**  
**Bank Number: 002**  
**Beneficiary: FTI Consulting Canada Inc.**  
**Beneficiary account number: 476960861715**





## Invoice Summary

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

September 30, 2017  
FTI Invoice No. 29002868  
FTI Job No. 456216.0002  
Terms Payment on Presentation

Current Invoice Period: Charges Posted through September 30, 2017

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<b>Name</b>	<b>Title</b>	<b>Rate</b>	<b>Hours</b>	<b>Total</b>
Craig Munro	Managing Director	\$525.00	32.0	\$16,800.00
Robert Kleebaum	Senior Consultant	\$350.00	7.6	\$2,660.00
Kathleen Foster	Administrative Professional	\$105.00	0.3	\$31.50
<b>Total Hours and Fees</b>			<b>39.9</b>	<b>\$19,491.50</b>
Mileage				\$22.68
Other/Miscellaneous				\$583.39
<b>Total Expenses</b>				<b>\$606.07</b>
<b>GST Registration No. 835718024RT0001</b>				<b>\$1,004.88</b>
<b>Invoice Total for Current Period</b>				<b>\$21,102.45</b>

**PROFESSIONAL SERVICES**

**Craig Munro**

09/01/17	Update A/R for collections. Letter to customers re A/R. Email re office furniture.	1.30	
09/05/17	A/R follow up. Email to C Szemenyei re status update. TC with creditor.	0.90	
09/06/17	TC with All Space re A/R letter. Email to C Ross re queries. TC with Concord re glass at shop. TC with creditor.	1.30	
09/07/17	Email to Apple Finance re financed equip. Email from C Ross and response. Email with Wells Fargo re leasing docs. TC and emails with Pacific Metals re recycled metal at SG. TC with A/R debtor.	1.40	
09/08/17	TC with and subsequent email to J Lai, First Residential re missing invoice. Follow up with Regional Recycling re metal. Email to C Ross re Mercedes. TC with C Ross re update. TC with Wells Fargo re lease. Follow up email to Wells Fargo. Email to J Dodd re auction. Emails to R Kleebaum re website and WEPP.	2.20	
09/11/17	TC with Halse Martin re invoice. Email exchange with J Fu re custom glass pick up.	0.40	
09/12/17	TC and email exchange with R Wilcox re sale of invty and office equip. Creditor enquiries. Follow up with K Siddall re legal questions. Email with C Ross re issues. Email to C Szemenyei re update. Rev mail.	2.10	
09/13/17	Email G Reeves re enquiry.	0.20	
09/14/17	TC with S Brownsett, PCL. Email response from S Brownsett re status. Email G McLarty re leased Ford vehicle. Email to C Ross re employee contact detail. Rev Bill of Sale and email to K Siddall. Mtg with C Ross and disc re update. Docs for custom glass pick up. Email to R Wilcox re Bill of Sale.	2.30	
09/15/17	Prep letters re A/R collection. TC with Deegan Construction re A/R balance. TC with Appia re A/R balance. Rev letter from Scott. TC and email to Concert Properties.	3.80	
09/18/17	Draft letters to debtors. TC with C Ross re update. TC with R Wilcox. TC with WCIB.	1.60	
09/19/17	TC with K Siddall re status update.. Email to C Ross re amounts due to union employees. TC with R Kleebaum re update. Rev corresp from A/R debtors. Follow up with C Ross. TC with ADP re T4's. Banking.	3.20	
09/20/17	Rev draft bill of sale and forward to R Wilcox. TC from Nelson Square and follow up with supporting invoice. Email to Sajo re o/s A/R. Rev WEPP claim corresp. Email to C Szemenyei re A/R update and request for support. Email to Matra. Email to Total Plan. TC with Shred-It. Email to R Wilcox re same. Email to R Laity re Mercedes Benz. TC with M Wong, landlord re update. TC with Deegan Construction.	4.40	
09/21/17	Email to R Wilcox re Bill of Sale. TC with A/R debtors. Email exchange with C Ross.	2.50	
09/27/17	Email exchange with Sajo. Follow up with PCL. TC with C Ross re Sajo. TC with Bold Properties.	1.00	
09/28/17	TC with C Ross re status update. TC with G Reeves re status of receivership. Email exchange with Sajo. Banking.	1.30	
09/29/17	Rev emails from C Ross re Sajo. Draft email to M Guerrero re o/s A/R. Rev email from Concord Realty. TC with lawyer for Oldcastle.	2.10	
	\$525.00 per hour x total hrs of	32.00	\$16,800.00



*Invoice Activity*

**Robert Kleebaum**

09/01/17	Reviewing and responding to creditor calls and emails,	1.90		
09/05/17	Submitted WEPP claims with Service Canada, discussion union remittance claim,	2.20		
09/11/17	Reviewing and responding to emails and creditor calls, submitting WEPP claims with Service Canada	1.40		
09/13/17	Reviewing and responding to emails,	0.40		
09/18/17	Reviewing and responding to emails, sending out WEPP package,	0.70		
09/19/17	Reviewing and responding to creditor emails and phone calls,	0.40		
09/20/17	Submitting employee WEPP claims,	0.30		
09/25/17	Reviewing and responding to emails and phone calls,	0.30		
	\$350.00 per hour x total hrs of	7.60		\$2,660.00

**Kathleen Foster**

09/11/17	Website update performed for FTI Case Sites for Superior Glass. Requested by email by Robert Kleebaum.	0.30		
	\$105.00 per hour x total hrs of	0.30		\$31.50



**Invoice Remittance**

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

October 31, 2017  
FTI Invoice No. 29002924  
FTI Job No. 456216.0002  
Terms: Payment on Presentation

Current Invoice Period: Charges Posted through October 31, 2017

	<i>CAD (\$)</i>
Professional Services.....	\$19,565.00
Expenses.....	\$0.00
Total Fees and Expenses.....	\$19,565.00
GST Registration No. 835718024RT0001 .....	\$978.25
Total Amount Due this Period.....	\$20,543.25
Previous Balance Due.....	\$54,751.28
<b>Total Amount Due.....</b>	<b><u>\$75,294.53</u></b>

***Please Wire Transfer To:***

**Bank of Nova Scotia**  
**Scotia Plaza, 44 King Street West**  
**Toronto, ONT M5H 1H1**  
**Swift Code: NOSCCATT**  
**Bank Number: 002**  
**Beneficiary: FTI Consulting Canada Inc.**  
**Beneficiary account number: 476960861715**



## Invoice Summary

Superior Glass Canada Inc.  
3121 Production Way  
Burnaby, BC V5A 3H1

October 31, 2017  
FTI Invoice No. 29002924  
FTI Job No. 456216.0002  
Terms Payment on Presentation

Current Invoice Period: Charges Posted through October 31, 2017

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Name	Title	Rate	Hours	Total
Craig Munro	Managing Director	\$525.00	35.6	\$18,690.00
Robert Kleebaum	Senior Consultant	\$350.00	2.5	\$875.00
<b>Total Hours and Fees</b>			<b>38.1</b>	<b>\$19,565.00</b>

GST Registration No. 835718024RT0001

\$978.25

**Invoice Total for Current Period**

**\$20,543.25**

**PROFESSIONAL SERVICES**

**Craig Munro**

10/02/17	TC with K Siddall re status of AR and need to lien. Disc application to amend Receiver's charge.Rev corresp re Ledcor bond claim. Email to AS. Email exch with C Ross re AR collections. Rev acctg from Able. Email to J Dodd re queries.	2.60	
10/04/17	Banking. Draft AR follow up letters. Email to Ledcor. Follow up with T Greenway re US attorney retainer. Email to US attorney re retainer refund.	3.70	
10/05/17	Draft Receiver's report. Email G Reeves re queries. Email re refund from US attorney. Email to Sajo and Total Plan.	3.80	
10/06/17	Rev email from Sajo and fwd to C Ross. TC with C Ross re Sajo and other accounts. Follow up AR.	1.40	
10/10/17	Email to K Siddall re follow up. Rev WEPP claims and update schedule. AR follow up. Banking.	1.70	
10/11/17	TC with Boffo re AR. TC with creditor.	0.60	
10/13/17	TC with A Szemenyei and C Szemenyei re status update and assistance with AR. Email from S Boucher re info. Email to C Ross re info request. Email to PCL re follow up.	1.90	
10/16/17	TC with S Boucher re lien claims. Rev corresp from debtors. Update A/R spreadsheet. Email to M Fisher re Oldcastle lien claims.	2.10	
10/17/17	TC with C Ross. Info for builders lien claims. Emails to debtors re A/R. TC with D Hepburn re liens against Etro. Prep letter to Crawford re bond claim. Rev liens.	2.80	
10/18/17	Builders lien claims. Email to debtors. Fwd schedule to A Szemenyei.	1.80	
10/19/17	TC with C Ross re update. Email to Ceridian re T4 prep. TC with debtor. Banking.	1.10	
10/20/17	Rev letter from Crawford re Ledcor bond. Email to A Szemenyei re same. Email exchange with K Siddall re Govan Brown settlement. TC with C Ross re update on several debtors. Rev response from Omnicrom. Payment from N Wallace. Update spreadsheet. Banking. TC with R Duque re EDC insurance. Email to Kindred Construction and rev response. Disc with C Ross.	2.70	
10/23/17	TC with C Ross re status update. TC with PCL.	0.60	
10/24/17	TC with R Strik re settlement. Email to R Strik re same. Email to PCL. Email to C Ross re union employees. TC with C Ross. Email K Siddall re Govan Brown. Lien issues with S Boucher. TC with legal counsel for union. Email to Klondike Contracting.	3.20	
10/25/17	TC with A Plumley re Ledcor AR.	0.30	
10/26/17	Email exchange with R Strik. Follow upon AR.	1.10	
10/27/17	TC with C Ross re AR collections. TC with WCB re lien rights. Research WCB lien rights. Email S Boucher re same. TC with Ceridian.	2.00	
10/30/17	TC with C Ross re update. Disc with R Kleebaum re union WEPP claims.Rev email from C Ross re PCL analysis.	1.10	
10/31/17	TC with WCB re Appia. Email from K Siddall re Govan Brown. Follow up with Axxys. Email to B Aresenault re union claims.	1.10	
	<b>\$525.00 per hour x total hrs of</b>	<b>35.60</b>	<b>\$18,690.00</b>

**Robert Kleebaum**

10/18/17	Reviewing and responding to emails,	0.30
10/24/17	Submitting employee WEPP Claim,	0.40
10/26/17	Submitting employee WEPP Claims,	0.50



*Invoice Activity*

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10/27/17	Submitting employee WEPP Claims,	0.50		
10/30/17	Reviewing Union WEPP claim,	0.80		
			<u>\$350.00 per hour x total hrs of</u>	<u>2.50</u>
				<u>\$875.00</u>

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# APPENDIX C



# NORTON ROSE FULBRIGHT

## INVOICE

Barristers & Solicitors / Patent & Trade-mark Agents

Invoice Number: 421134  
Date: November 9, 2017

Norton Rose Fulbright Canada LLP  
1800 - 510 West Georgia Street  
Vancouver, BC V6B 0M3 Canada

FTI Consulting Canada Inc.  
Pacific Centre, 701 West Georgia Street  
Suite 1502  
Vancouver, BC V7Y 1C6

T: +1 604.687.6575  
F: +1 604.641.4949  
nortonrosefulbright.com

Attention: Craig Munro, Accountant

GST/HST #: R111340006  
PST #: PST-1066-2017

Client: FTI CONSULTING CANADA INC.  
Matter No: 17-4388

**RE: In the Matter of Colbry Holdings Inc. and Superior Glass Canada Inc.**

For professional services rendered and disbursements incurred for the period ending October 31, 2017	
FEES	9,644.50
OTHER CHARGES AND DISBURSEMENTS (Taxable)	231.21
DISBURSEMENTS (Non Taxable)	0.00
<b>NET</b>	<b>9,875.71</b>
GST	493.79
PST	680.00
<b>TOTAL FOR THIS INVOICE IN CANADIAN DOLLARS</b>	<b>\$11,049.50</b>

Please note that interest at the rate of 1.3% per annum may be charged on any invoice that is not paid in full within 30 days from the date on which it was issued.

Payable upon receipt

**Banking information for wire transfer**

Royal Bank of Canada  
Main Branch, 1025 West Georgia Street  
Vancouver, BC CANADA V6E 3N9  
Account Name: Norton Rose Fulbright Canada LLP  
Bank 003, Transit Number: 00010  
CAD Funds - General Account Number: 1292523  
Swift Code # ROYCCAT2  
Include invoice number

<b>Partner</b>		<b>N. Davie</b>
17-10-17	0.50	Discussions regarding claim of builders lien; giving instructions to S. Ng regarding filing of claim of builders lien;
	0.50	Sub-total Hours
<b>Partner</b>		<b>K. Siddall</b>
31-08-17	0.20	E-mail from C. Munro regarding debt action against Superior;
01-09-17	0.50	E-mail to and from R. Kleebaum regarding union claim; reviewing union arbitration materials;
05-09-17	0.20	E-mail from R. Kleebaum regarding Ford Credit secured claim; considering union claim for unpaid remittances;
06-09-17	0.30	Considering union claim;
08-09-17	0.50	Considering union claim;
12-09-17	0.50	Telephone call to C. Munro regarding bill of sale for furniture etc.;
13-09-17	1.00	Reviewing and revising bill of sale; e-mail from C. Munro regarding Guardian Transport claim;
15-09-17	0.70	Finalizing bill of sale; telephone call from labour arbitrator regarding union claim; e-mail to B. Arsenault regarding same;
18-09-17	0.40	Voice-mail from A. Delmonico regarding Govan Brown matter; e-mails from R. Kleebaum and C. Munro regarding lien issues; letter from Labour Arbitration Board regarding union issue;
19-09-17	0.80	Considering lien issues, union issue, and Govan Brown matter;
20-09-17	1.00	E-mail from A. Delmonico regarding Govan Brown matter; further revising bill of sale; e-mail from and to C. Munro regarding same;
21-09-17	1.00	Preparing for and attending preliminary hearing of labour arbitration regarding union claim via telephone;
02-10-17	0.50	E-mail to J. Levine at CRA regarding application to increase Receiver's charge; considering next steps;
04-10-17	1.50	E-mail from J. Levine at CRA regarding increasing Receiver's charge; drafting e-mail to arbitrator regarding union claim; e-mail to and from B. Arsenault regarding same; telephone conference with arbitrator regarding union claim; e-mail from arbitrator regarding same;
06-10-17	1.00	Reviewing and considering union claim;
10-10-17	1.20	E-mail to and telephone call to B. Arsenault regarding union claim; reviewing draft Receiver's report; e-mail from B. Arsenault confirming withdrawal of union claim; e-mail from arbitrator regarding same;
13-10-17	0.50	Considering Govan Brown issue; telephone call and e-mail from A. Delmonico regarding same;
19-10-17	0.60	E-mails to and from C. Munro regarding outstanding issues including union claim and Govan Brown matter; e-mails to and from A. Delmonico regarding Govan Brown matter;
20-10-17	0.60	E-mails to and from C. Munro regarding Govan Brown matter; e-mail from A. Delmonico regarding same;
24-10-17	0.20	E-mail from A. Delmonico regarding Govan Brown matter; e-mail to and from C. Munro regarding same;

continued...

<b>Partner</b>		<b>K. Siddall</b>
25-10-17	0.20	E-mail to and from C. Munro regarding Ledcor bond claim;
30-10-17	0.40	E-mail to and voice-mail from C. Munro regarding Ledcor bond claim; telephone call to A. Delmonico regarding Govan Brown matter;
31-10-17	0.40	Voice-mail from and telephone call to A. Delmonico regarding settlement of Govan Brown matter; e-mail to and from C. Munro regarding same; e-mails to and from A. Delmonico confirming settlement; e-mail from and to A. Teodorescu regarding same;
	14.20	Sub-total Hours
<b>Associate</b>		<b>S. Boucher</b>
12-10-17	0.50	Reviewing file materials for receiver application; reviewing file materials for builders lien claims; considering issues arising; e-mailing client regarding lien claims;
17-10-17	0.80	Reviewing claim of lien information; preparing claim of lien forms; discussing the same with client; considering issues arising; e-mailing with client regarding claim of lien details;
18-10-17	0.90	E-mailing with client regarding information for claims of lien; considering issues arising; reviewing corporate searches for the same; finalizing claims of lien;
20-10-17	0.30	Considering issues regarding claims of lien and application; reviewing correspondence regarding the same;
22-10-17	0.50	Reviewing documents provided by client; considering issues arising; e-mailing client regarding the same;
23-10-17	1.10	Reviewing draft report; preparing notice of application to extend charge; considering issues arising;
24-10-17	1.10	Preparing application materials for increase in charge; reviewing file materials for the same; e-mailing with client regarding application and claims of lien;
26-10-17	0.40	E-mailing with client regarding claims of lien issues; considering issues arising; reviewing title searches;
27-10-17	0.10	Reviewing research on WCB issue; e-mailing client regarding the same;
	5.70	Sub-total Hours
<b>Senior Paralegal</b>		<b>A. Kollman</b>
24-10-17	0.10	Conducting a title search;
26-10-17	0.10	Conducting a title search;
	0.20	Sub-total Hours
<b>Student</b>		<b>N. Kamoosi</b>
27-10-17	1.00	Performing legislative and case law research regarding liability of contractors for their subcontractor's WCB fees;
	1.00	Sub-total Hours

continued...

Norton Rose Fulbright Canada LLP

<b>Paralegal</b>		<b>A. Gardner</b>
18-10-17	0.10	Conducting corporate search of "Sajo Inc." with Quebec Registry; e-mail to S. Ng regarding same;
	<u>0.10</u>	Sub-total Hours
<b>Paralegal</b>		<b>M. Vu</b>
17-10-17	0.10	Reviewing and revising Form 5 Claim of Builders Lien for 2101 West 4;
	<u>0.10</u>	Sub-total Hours
	<u>21.80</u>	Total Hours

OUR FEE: \$9,644.50

Other Charges:

Document Production	66.50
Long Distance	<u>3.21</u>
Total Other Charges:	\$69.71

Taxable Disbursements:

BC Online - Service Charge	4.50
Company Registry Searches	7.00
Land Title Office - Searches	94.50
Land Title Office Costs	7.50
Land Title Office Searches	28.50
Land Title Office-Service Fee	<u>19.50</u>
Total Taxable Disbursements:	\$161.50

TOTAL FEES AND OTHER CHARGES: \$9,714.21

TOTAL FEES, OTHER CHARGES AND DISBURSEMENTS \$9,875.71

**EXCLUDING TAXES:**

GST / HST at 5% \$493.79

PST on Fees and Other Charges at 7%: \$680.00

TOTAL FEES, OTHER CHARGES AND DISBURSEMENTS **INCLUDING TAXES:** \$11,049.50

continued...

Norton Rose Fulbright Canada LLP

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TOTAL BALANCE DUE:

\$11,049.50

**Norton Rose Fulbright Canada LLP**

**Kieran Siddall**

Invoice Number: 421134