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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ALASKA**

<p>In re  TERCON INVESTMENTS LTD., Debtors in Foreign Proceedings.</p>	<p>CASE NO.: A13-00015-HAR In Chapter 15 [Lead Case of Jointly Administered Cases A13-00015 through A13-00025-HAR]</p>
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**RECEIVER’S MOTION TO CLOSE CHAPTER 15 CASES**

FTI Consulting Canada Inc., Receiver herein, hereby moves that this Chapter 15 case, and the other cases jointly administered with this case, be closed.

**Discussion**

On December 4, 2012, receivership proceedings were instituted in the Supreme Court of British Columbia, Canada, against eleven affiliated entities<sup>1</sup> known collectively as “Tercon.” FTI Consulting Canada Inc. (“Receiver”) was appointed as Receiver for each of the Tercon entities. In order to facilitate the sale of certain Tercon assets located in Alaska, and in particular some heavy equipment located in the Fort

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<sup>1</sup> The Tercon entities are: (1) Tercon Investments Ltd., (2) Tercon A.C. Ltd., (3) Tercon Equipment Ltd., (4) Tercon Construction Ltd., (5) Tercon Mining Ltd., (6) Tercon Enterprises Ltd., (7) Tercon MRC Limited, (8) FNP Ventures Inc. (9) Tercon Mining PV Ltd., (10) Tercon Equipment Alaska Partnership, and (11) Tercon Alaska Ltd.

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Knox area, the Receiver filed Chapter 15 proceedings in this Court on behalf of each of the Tercon entities.<sup>2</sup> The lead case for these jointly administered case is Tercon Investments, Ltd. case, No. A13-00015.

As described more fully in the *Second Report to the US Court Submitted by FTI Consulting Canada Inc., in its Capacity as Court-Appointed Receiver* (“Second Report”), to be filed on or before November 19, 2013, the Receiver obtained an order from this Court<sup>3</sup> recognizing an order from the Canadian court approving the sale of the Alaska assets, and also obtained an order from this Court<sup>4</sup> approving a regime for distributing the sale proceeds. All secured claims against the assets have now either been paid or settled.<sup>5</sup> There are no matters concerning the Alaska assets that require the attention of this Court, and therefore the Receiver requests that this case be closed.

Bankruptcy Rule 5009(c) requires that a motion to close a Chapter 15 proceeding be noticed to the matrix and other specified parties in interest on 30 days notice.<sup>6</sup> Notice of this motion is being given in accordance with that requirement.

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<sup>2</sup> Case Nos. A13-00015 through A13-00025.

<sup>3</sup> *Order Granting Recognizing and Approving Approval and Vesting Order*, Docket No. 33.

<sup>4</sup> *Order Recognizing and Approving Distribution Order*, Docket No. 34.

<sup>5</sup> See paragraphs 21-23 of the Second Report.

<sup>6</sup> Bankruptcy Rule 5009(c) provides: A foreign representative in a proceeding recognized under §1517 of the Code shall file a final report when the purpose of the representative's appearance in the court is completed. The report shall describe the nature and results of the representative's activities in the court. The foreign representative shall transmit the report to the United States Trustee, and give notice of its filing to the debtor, all persons or bodies authorized to administer foreign proceedings of

### Conclusion

Because there are no further matters in the Tercon cases requiring the attention of this Court, Receiver requests that this Court close these Chapter 15 cases upon the expiration of the 30-day notice period. A proposed order is attached hereto.

Dated November 13, 2013.

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CABOT CHRISTIANSON, P.C.  
Attorneys for FTI Consulting Canada Inc.

By: /s/ Cabot Christianson  
Cabot Christianson

Exhibit A: proposed Order

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 13, 2013, a true and correct copy of this application was served by electronic means through the ECF system as indicated on the Notice of Electronic filing.

By: /s/ Margaret Stroble  
Margaret Stroble

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the debtor, all parties to litigation pending in the United States in which the debtor was a party at the time of the filing of the petition, and such other entities as the court may direct. The foreign representative shall file a certificate with the court that notice has been given. If no objection has been filed by the United States Trustee or a party in interest within 30 days after the certificate is filed, there shall be a presumption that the case has been fully administered.

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**ORDER CLOSING CHAPTER 15 CASES**

On the *Receiver's Motion to Close Chapter 15 Cases*, Docket No. \_\_\_\_\_,  
and the motion having been noticed as disclosed by the affidavit of service thereof, and  
there being no objection, and good cause appearing,

IT IS HEREBY ORDERED that this case, and each of the following  
cases:

- |   |              |
|---|--------------|
| <i>In re: Tercon A.C. Ltd.</i>                    | 13-00016 HAR |
| <i>In re: Tercon Equipment Ltd.</i>               | 13-00017 HAR |
| <i>In re: Tercon Construction Ltd.</i>            | 13-00018 HAR |
| <i>In re: Tercon Mining Ltd.</i>                  | 13-00019 HAR |
| <i>In re: Tercon Enterprises Ltd.</i>             | 13-00020 HAR |
| <i>In re: Tercon MRC Limited.</i>                 | 13-00021 HAR |
| <i>In re: FNP Ventures Ltd.</i>                   | 13-00022 HAR |
| <i>In re: Tercon Mining PV Ltd.</i>               | 13-00023 HAR |
| <i>In re: Tercon Equipment Alaska Partnership</i> | 13-00024 HAR |
| <i>In re: Tercon Alaska Ltd.</i>                  | 13-00025 HAR |

are hereby CLOSED.

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Dated December \_\_\_\_, 2013.

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Herbert A. Ross  
United States Bankruptcy Judge

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Exhibit A  
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