

COURT FILE NO.: 2001-05482
 COURT COURT OF QUEEN'S BENCH OF ALBERTA
 JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE *COMPANIES' CREDITORS
 ARRANGEMENT ACT*, RSC 1985, c C-36, as amended

AND IN THE MATTER OF THE COMPROMISE OR
 ARRANGEMENT OF JMB CRUSHING SYSTEMS INC. and
 2161889 ALBERTA LTD.

APPLICANT JMB CRUSHING SYSTEMS INC.

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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DATE ON WHICH ORDER WAS PRONOUNCED:

LOCATION AT WHICH ORDER WAS MADE: Calgary Court House

NAME OF JUSTICE WHO MADE THIS ORDER: Madam Justice K.M. Eidsvik

UPON THE APPLICATION of JMB Crushing Systems Inc. ("**JMB**"); **AND UPON HEARING** counsel for JMB; **AND UPON** reviewing the Affidavit of Jeff Buck sworn May 8, 2020; **AND UPON** hearing counsel for the Applicant and those parties present; **IT IS HEREBY ORDERED THAT:**

1. The time for service of notice of application for this Order is hereby abridged and deemed good and sufficient and this application is properly returnable today.

2. EllisDon Industrial Inc. shall remit amounts owing by it to JMB in relation to the project (the “**Project**”) to FTI Consulting Canada Inc. as the Court-appointed Monitor of JMB in the within proceedings.
3. Upon the Monitor confirming the validity and quantum of any lien claim made in relation to the Project (a “**Lien**”), the Monitor will pay the validated amount to the lien claimant (a “**Lien Claimant**”) in exchange for the discharge of each Lien.
4. If a Lien Claimant is unwilling to discharge its Lien in exchange for payment, the Monitor is hereby granted leave to apply to the Court for an Order discharging the Lien upon the Monitor confirming the payment of validated amount to the Lien Claimant to the Clerk of the Court in writing. Upon this confirmation the Land Titles Registrar will discharge the Lien from the Land.
5. Any party to this Order is at liberty to make further application to the Court of Queen’s Bench, including an application under Section 53 of the *Builders’ Lien Act*, for further directions respecting any matter pertaining to the Lien claim, the validated amount, or the issues in dispute, including but not limited to:
 - (a) the validity of the Lien;
 - (b) the adjustment of the validated amount;
 - (c) the discharge of any further liens registered that are related to or duplicative of the Lien; or
 - (d) the enforcement of an award made in any related enforcement proceedings.
6. Nothing in this Order shall in any way restrict the rights or obligations of the parties under the *Builders’ Lien Act* except as expressly stated herein.
7. Each party shall be responsible for their own costs regarding the within matter.

8. Where this Order proceeds by way of consent, it may be consented to in counterpart by facsimile or electronic transmission.

J.C.C.Q.B.A.