COM

COURT FILE NUMBER:

2201-02948

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

**APPLICANT** 

CROWN CAPITAL PARTNER FUNDING LP, by its manage

CROWN PRIVATE CREDIT PARTNERS INC.

RESPONDENT

ADDRESS FOR

SERVICE AND

RBEE AGGREGATE CONSULTING LTD.

DOCUMENT

ORDER

I hereby certify this to be a true copy of

BLAKE, CASSELS & GRAYDON LLP

3500, 855 - 2nd Street S.W.

the original <u>Consent Order</u>

Calgary, Alberta T2P 4J8

Dated this 30 day of Novemeber Hermosa Cleh

CONTACT INFORMATION OF

PARTY FILING THIS

DOCUMENT

Attention:

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File Ref .:

79294/16

DATE ON WHICH ORDER WAS PRONOUNCED:

November 29, 2022

NAME OF JUDGE WHO MADE THIS ORDER:

Honourable Justice M.H. Hollins

LOCATION OF HEARING:

Calgary, Alberta

UPON THE APPLICATION by FTI Consulting Canada Inc. in its capacity as the Courtappointed receiver (the "Receiver") of the undertaking, property and assets of RBee Aggregate Consulting Ltd. ("RBee"), for an order directing RMC Construction Materials Inc. ("RMC", and together with the Receiver, collectively, the "Parties") to pay to the Receiver the amount allegedly owing by RMC to RBee pursuant to certain unpaid invoices, which RMC disputes (the "Application");

AND UPON hearing that the Parties have agreed to an adjournment to the Application on the terms set forth in the following litigation schedule;

## IT IS HEREBY ORDERED AND DECLARED THAT:

- 1. The following litigation schedule shall apply:
  - (a) RMC shall provide written interrogatories, if any, with respect to the fifth report of the Receiver dated October 28, 2022 by December 2, 2022;
  - (b) the Receiver shall provide answers in writing to any interrogatories provided by RMC in accordance with paragraph 1(a) by December 14, 2022;
  - (c) RMC shall provide any evidence that it intends to rely upon at the hearing of the Application, by December 23, 2022;
  - (d) questioning, if any, of RMC's witness(es) shall take place between January 9 and January 11, 2023;
  - (e) the Receiver's brief of law and supplemental report, if any, shall be filed and served on or before January 20, 2023;
  - (f) RMC's brief of law and supplemental evidence, if any, shall be filed and served on or before January 30, 2023;
  - (g) the Receiver's responding brief of law, if any, shall be filed and served on or before February 6, 2023; and
  - (h) subject to Court availability, the Application shall be heard during the week beginning on February 13, 2023.
- 2. The litigation schedule set out in paragraph 1 above may be mutually amended or modified by the Parties in writing, without any further order of the Court.

There shall be no costs for this appearance.

Justice of the Court of King's Bench of Alberta

Consented this 29th day of November 2022:

**DENTONS CANADA LLP** 

BLAKE, CASSELS & GRAYDON LLP

Chris B. Zelyas

Counsel for RMC Construction Materials Inc.

Kelly J. Bourassa

Counsel for FTI Consulting Canada Inc. in its capacity as Court-appointed receiver of

Rbee Aggregate Consulting Ltd.

## IT IS HEREBY ORDERED AND DECLARED THAT:

- The following litigation schedule shall apply:
  - (a) RMC shall provide written interrogatories, if any, with respect to the fifth report of the Receiver dated October 28, 2022 by December 2, 2022;
  - (b) the Receiver shall provide answers in writing to any interrogatories provided by RMC in accordance with paragraph 1(a) by December 14, 2022;
  - (c) RMC shall provide any evidence that it intends to rely upon at the hearing of the Application, by December 23, 2022;
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  - (e) the Receiver's brief of law and supplemental report, if any, shall be filed and served on or before January 20, 2023;
  - (f) RMC's brief of law and supplemental evidence, if any, shall be filed and served on or before January 30, 2023;
  - (g) the Receiver's responding brief of law, if any, shall be filed and served on or before February 6, 2023; and
  - (h) subject to Court availability, the Application shall be heard during the week beginning on February 13, 2023.
- 2. The litigation schedule set out in paragraph 1 above may be mutually amended or modified by the Parties in writing, without any further order of the Court.
- 3. There shall be no costs for this appearance.

Justice of the Court of King's Bench of Alberta

Consented this 29th day of November 2022:

**DENTONS CANADA LLP** 

**BLAKE, CASSELS & GRAYDON LLP** 

Chris B. Zelyas
Counsel for RMC Construction Materials Inc.

Kelly J. Bourassa Counsel for FTI Consulting Canada Inc. in