

COURT FILE NO. B201-831494
25-2831494
COURT COURT OF KING'S BENCH OF ALBERTA
IN BANKRUPTCY AND INSOLVENCY
JUDICIAL CENTRE CALGARY

BANKRUPTCY MATTER IN THE MATTER OF THE BANKRUPTCY OF RBEE AGGREGATE CONSULTING LTD. MB



APPLICANT FTI CONSULTING CANADA INC., SOLELY IN ITS CAPACITY AS
LICENSED INSOLVENCY TRUSTEE OF THE BANKRUPT ESTATE
OF RBEE AGGREGATE CONSULTING LTD.

RESPONDENTS A-1 QUALITY BELTING LTD., 1258311 ALBERTA LIMITED, BERNIE
REED and JANET FISHER

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	DARREN BIEGANEK, KC, RUSSELL RIMER, and GIL MICIAK Barristers & Solicitors Phone: 780-441-4386 Fax: 780-428-9683 Email: dbiegane@dccllp.com; rrimer@dccllp.com; gmiciak@dccllp.com;	File # 204-216318 DUNCAN CRAIG LLP LAWYERS MEDIATORS 2800 Rice Howard Place 10060 Jasper Avenue Edmonton, Alberta Canada T5J 3V9
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DATE ON WHICH ORDER WAS PRONOUNCED: August 8, 2025

NAME OF JUSTICE WHO MADE THIS ORDER: C.C.J. Feasby

LOCATION WHERE PRONOUNCED: Calgary, Alberta

UPON NOTING the Application filed August 17, 2023 (the "Preference Application") filed by FTI Consulting Canada Inc., the Trustee in bankruptcy of Rbee (the "Trustee");

AND UPON THE APPLICATION of A-1 Quality Belting Ltd., 1258311 Alberta Limited, Bernie Reed and Janet Fisher (collectively, the "Reed Applicants") to compel refused answers to undertakings requested at the Questioning on Affidavit of Tim Oldfield conducted on May 28, 2025; AND UPON noting that the undertakings refused were:

- (1) To produce the 2018, 2019 and 2020 audited financial statements for Rbee Aggregate Consulting Ltd. ("Rbee") ("Undertaking #1"); and

- (2) To produce any emails from May 2021 to February 2022 between Crown Capital Partner Funding, LP ("Crown") and Canadian Western Bank ("CWB") ("Undertaking #2");

AND UPON having reviewed the materials filed in support of this Application including the Brief of Law submitted by each of the Reed Applicants and Crown; AND UPON hearing the submissions of counsel for the Reed Applicants, counsel for Crown, and counsel for the Trustee; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The Application to produce the financial statements for Rbee as requested in Undertaking #1 is refused. The Reed Applicants have leave to request that the Court hearing the Preference Application draw an adverse inference that the prior years' financial statements reflect the same transactions that are reflected in the 2021 financial statements, in their favor in respect of the refusal of Crown to produce the 2018, 2019 and 2020 financial statements of Rbee.
2. Crown is directed to produce emails between itself and CWB for the period of May 2021 to February 2022 which refer to the deteriorating financial position of Rbee, including issues with respect to the financial reporting being provided by Rbee to CWB or the margining of Rbee's line of credit with CWB .


Justice of the Court of King's Bench of Alberta

APPROVED AS TO FORM BY:

MLT AIKINS LLP

Per:



Ryan Zahara
Counsel to Crown Capital Partner Funding, LP

BLAKE, CASSELS & GRAYDON LLP

Per:



Jenna Willis
Counsel to FTI Consulting Canada Inc., solely in its capacity as Licensed Insolvency Trustee of the Bankrupt Estate of Rbee Aggregate Consulting Ltd.

DUNCAN CRAIG LLP

Per:



Darren R. Bieganeck, KC
Counsel to A-1 Quality Beling Ltd.,
1258311 Alberta Limited, Bernie Reed
and Janet Fisher