

SUPREME COURT
OF BRITISH COLUMBIA
VANCOUVER REGISTRY

AUG 17 2022

ENTERED



IN THE SUPREME COURT OF BRITISH COLUMBIA

No. H-200605
VANCOUVER REGISTRY

BETWEEN:

CANADIAN WESTERN BANK

PETITIONER

AND:

2173 ARGYLE AVENUE LIMITED PARTNERSHIP, ARGYLE GP LTD.,
1104194 B.C. LTD., ABANA CAPITAL MANAGEMENT GROUP INC.,
ATTI MANAGEMENT GROUP INC., ARMAN TEHRANI, 1224979 B.C. LTD.,
ASCENT DRYWALL AND COATINGS LTD., ILIR VUKAJ dba ADVANCED EURO PAVING,
PF MECHANICAL LTD., TORR ELECTRIC LTD. and W.S. FIRE PROTECTION LTD.

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE) THE HONOURABLE JUSTICE) ON THE 11th DAY OF
) MATTHEWS) AUGUST, 2022
))
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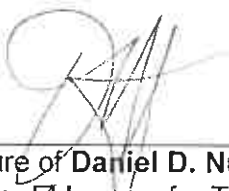
THE APPLICATION of The Bowra Group Inc., in its capacity as Court-appointed Receiver (the "Receiver") of all assets, undertakings and properties of 2173 Argyle Avenue Limited Partnership, Argyle GP Ltd. and 1104194 B.C. Ltd., coming on for hearing at Vancouver, British Columbia, on the 11th day of August, 2022; AND ON HEARING Daniel D. Nugent, counsel for the Receiver, and those other counsel listed on Appendix "A" hereto; AND UPON READING the material filed, including the Report of the Receiver dated July 12, 2022 (the "Report") and Affidavit #2 of Daniel D. Nugent made on July 12, 2022 (the "RBS Affidavit") and Affidavit #5 of Mario Mainella made on July 12, 2022 (the "Bowra Group Affidavit") (collectively the "Fee Affidavits");

THIS COURT ORDERS AND DECLARES THAT:

1. The activities of the Receiver, as set out in the Report, are hereby approved; provided however, that the Receiver in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.
2. The fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, are hereby approved.

3. The payment of \$3 million to the Petitioner, Canadian Western Bank, held by the Receiver as described in the Report (the "Distribution") is approved and the Receiver is authorized and directed to make such Distribution.
4. The Receiver is hereby authorized to retain the funds remaining in the Receiver's trust account after payment of the Distributions (the "Holdback") for the following purposes:
 - a) To pay for ongoing costs for remaining in-suite deficiency and landscape work; and
 - b) To pay any fees and disbursements of the Receiver and its legal counsel that have been approved by order of this Court but not yet paid.
5. If any Holdback remains when the Receiver is discharged, the balance shall be paid to the Petitioner, Canadian Western Bank.
6. Endorsement of this Order, other than by counsel for the Receiver is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of **Daniel D. Nugent**
 Party Lawyer for The Bowra Group Inc.,
Court appointed Receiver

BY THE COURT 

REGISTRAR



A-1

APPENDIX "A"

List of Counsel Appearing

Name of Counsel:	Representing: