

**COURT FILE NUMBER:** 

1903 20042

COURT:

COURT OF QUEEN'S BENCH

**OF ALBERTA** 

JUDICIAL CENTRE:

**EDMONTON** 

PLAINTIFF:

MLS PROPERTY GROUP LTD.

**DEFENDANTS:** 

1235962 ALBERTA LTD. f/k/a
PERFORMANCE AG GROUP
EVANSBURG LTD. f/k/a HARDE AGRI SERVICES INC.,
PERFORMANCE AG GROUP
CALMAR LTD. f/k/a HAR-DE
AGRI SERVICES CALMAR
LTD. and HAR-DE AGRI

SERVICES LTD.

DOCUMENT:

**SEALING ORDER** 

**ADDRESS FOR SERVICE** 

AND CONTACT

INFORMATION OF PARTY

FILING THIS DOCUMENT:

PARLEE McLAWS LLP Barristers & Solicitors

Patent & Trade-Mark Agents

1700 Enbridge Centre 10175 – 101 Street NW

Edmonton, Alberta T5J 0H3 Attention: Steven A. Rohatyn

Phone: 780-423-8177 Fax: 780-423-2870 File No: 75782-7/SRO

DATE ON WHICH ORDER WAS PRONOUNCED: May 5, 2020

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: M.J. Lema

UPON THE APPLICATION of The Bowra Group Inc., in its capacity as the Courtappointed receiver and manager (the "Receiver") of the undertakings, property and assets of the Defendants for an Order, *inter alia*, sealing the Confidential Appendices to the filed Second Report of the Receiver (the "Confidential Appendices");



AND UPON HAVING READ the Receivership Order dated October 16, 2019 (the "Receivership Order"), the Report, Notice to Media, and the Affidavit of Service; AND UPON HEARING the submissions of counsel for the Receiver and all other interested parties present;

## IT IS HEREBY ORDERED AND DECLARED THAT:

- 1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, no other person is required to have been served with notice of this application and time for service of this application is abridged to that actually given.
- 2. Notwithstanding Division 4, Part 6 of the Alberta Rules of Court, the Confidential Appendices shall be sealed on the Court file until further Order of this Court.
- 3. The Confidential Appendices shall be kept sealed and confidential, and shall not form part of the public record, and the Clerk of the Court is hereby directed to file the sealed Confidential Appendices separate and apart from all other contents of the Court file in a sealed envelope attached to a Notice that sets out the title of the proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS THE BOWRA GROUP INC., AND THE CONFIDENTIAL MATERIALS ARE SEALED UNTIL FURTHER ORDER PURSUANT TO THE SEALING ORDER ISSUED BY THE HONOURABLE JUSTICE M.J. LEMA PRONOUNCED MAY 5, 2020.

- 4. Service of this Order shall be deemed good and sufficient by:
  - (a) Serving the same on:
    - (i) the persons listed on the service list created in these proceedings;
    - (ii) any other person served with notice of the application for this Order;
    - (iii) any other parties attending or represented at the application for this Order;
    - (iv) the Purchaser or the Purchaser's solicitors; and
  - (b) Posting a copy of this Order on the Receiver's website at:

https://www.bowragroup.com/performance-ag

- and service on any other person is hereby dispensed with.
- 5. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

Justice of the Court of Queen's Bench of Alberta