

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON

IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*
R.S.C. 1985, c. B-3, AS AMENDED

BETWEEN:

SERVUS CREDIT UNION LTD.

Applicant

- and -

4 TECH ELECTRIC (2001) LTD., TRENT BARILKO
AND DIANE BARILKO

Respondents

BEFORE THE HONOURABLE B.R. BURROWS)
JUSTICE IN CHAMBERS)
LAW COURTS)
EDMONTON, ALBERTA)

ON MONDAY, THE 28TH DAY
OF JUNE, 2010

ORDER

UPON the application of Meyers Norris Penny Limited, the Court appointed Receiver (the "**Receiver**") of 4 Tech Electric (2001) Ltd. (the "**Debtor**"); AND UPON hearing Counsel for the Receiver; AND UPON hearing read the Receivership Order granted in the within proceedings on September 28, 2009; AND UPON hearing read the Notice of Motion and Third Report of the Receiver (the "**Third Report**"), filed; AND UPON hearing read the Affidavits of Service; AND UPON hearing that Counsel for the Receiver that Counsel for Servus Credit Union Ltd. ("**Servus**"), Counsel for Rocky Credit Union Ltd. ("**Rocky**"), and Counsel for Canada Revenue Agency ("**CRA**") do not oppose the relief sought under this form of Order;

AND UPON hearing that the Respondent Trent Barilko is now bankrupt, and that his Trustee in Bankruptcy has been served with the Notice of Motion and Third Report as a matter of courtesy; AND UPON hearing that Counsel for Diane Barilko has taken no position on this application;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The Receiver is hereby authorized to distribute from the net proceeds of the sale of the following lands of the Debtor:

DESCRIPTIVE PLAN 9122189
BLOCK 1
LOT 7
EXCEPTING THEREOUT ALL MINES AND MINERALS
(the "**Lands**")

an amount necessary to pay its costs, and the costs of its solicitors, in relation to the listing, sale and other dealings with respect to the Lands (the "**Net Proceeds**").

2. The Receiver is hereby authorized to distribute from the Net Proceeds the total costs of Servus for the within proceedings in the amount of \$13,191.73.

3. The Receiver is hereby authorized to distribute to Servus from the Net Proceeds the amount owing for principal and interest under the Mortgage against the Lands held by Servus as described in the Third Report.

4. The Receiver shall pay into this Honourable Court from the Net Proceeds the amount of \$150,000.00, being the amount claimed under the Memorandum Charging Lands held by Rocky as described in the Third Report, to be held in Court until an adjudication by this Honourable Court as to the priority between CRA and Rocky as to the said amount claimed, or until a Consent Order between Rocky and CRA as to priority.

5. The Receiver shall pay the remaining amount of the Net Proceeds to CRA under its deemed trust claims against the Debtor and Lands.

"B.R. Burrows"

**JUSTICE IN CHAMBERS OF THE COURT OF
QUEEN'S BENCH OF ALBERTA**

ENTERED this 30 day of June, 2010.

L. ROSS

CLERK OF THE COURT



Action No. 0903 15023

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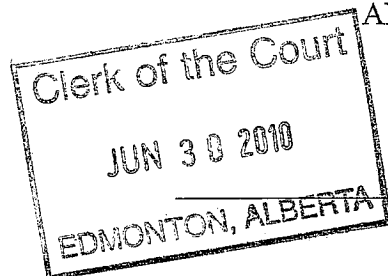
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TRENT BARILKO
AND DIANE BARILKO

Respondents



ORDER

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