

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY**

**IN BANKRUPTCY**

**IN THE MATTER OF THE PROPOSAL OF**

**THE DIAMOND BULLET CORPORATION,  
PREMIERE MANUFACTURING LTD. AND  
HAT BIT SUPPLY LTD.**

**OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA**

*CM* ✓ *CM* ✓  
**ORIGINATING NOTICE OF MOTION**

**TAKE NOTICE** that an application will be made on behalf of THE DIAMOND BULLET CORPORATION, PREMIERE MANUFACTURING LTD. and HAT BIT SUPPLY LTD. before the Honourable Justice J.D.B. McDonald in Chambers at the Court of Queens Bench, Calgary Courts Centre, 601 - 5th Street S.W. Calgary, Alberta, at the hour of 9:30 in the forenoon or so soon thereafter as counsel may be heard.  
*CM ✓ on Tues day the 25<sup>th</sup> day of November, 2008. ✓ CM*

**THE MOTION IS FOR AN ORDER:**

- (a) If necessary, dispensing or abridging the time for service of the within Notice of Motion and Affidavit of Rick Souther; and
- (b) Extending the time for THE DIAMOND BULLET CORPORATION, PREMIERE MANUFACTURING LTD. and HAT BIT SUPPLY LTD. to file the proposal to their creditors to January 10, 2009;
- (c) Granting THE DIAMOND BULLET CORPORATION leave to apply to the Court for authorization and direction in respect of entering into an agreement with a proposed auction house or other purchaser to dispose of its assets;
- (d) Authorizing PREMIERE MANUFACTURING LTD. to enter into a Commercial Real

Estate Purchase Contract selling its industrial plant building property located in Taber, Alberta; and

- (e) Procedurally consolidating the following Estates:
- i. THE DIAMOND BULLET CORPORATION, PREMIERE MANUFACTURING LTD. and HAT BIT SUPPLY LTD., Estate No. 25-1124515;
  - ii. DBC INTERNATIONAL INC., Estate No. 25-1124511;
  - iii. R ENVIRONMENTAL LABS LTD., Estate No. 25-1124514; and
  - iv. DUNN TRUCKING LTD., Estate No. 25-1124513;
- (the “Debtor Companies”)  
but specifically not allowing any intermingling of assets or global proposal for all Estates; and
- (f) Such further and other relief as the Debtor Companies may seek or the Court may advise.

**THE GROUNDS FOR THE MOTION ARE:**

**Extension to File Proposal Application**

1. The Debtor Companies filed notices of intention to make a proposal to their creditors on October 27, 2008 under the provisions of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “BIA”);
2. The Debtor Companies have assets valued in excess of the Debtor Companies’ liabilities, which if sold in an orderly manner, will be able to satisfy the Debtor Companies’ indebtedness to all creditors, secured and unsecured.
3. The cataloguing of thousands of pieces of inventory was necessary to the Debtor Companies’ proposal but time consuming. The Debtor Companies require further time to formulate their proposal;
4. The Debtor Companies have been acting in good faith, with due diligence and no creditors will be materially prejudiced by this extension request;

**Granting Leave to The Diamond Bullet Corporation to Apply to Dispose of Assets**

5. The Diamond Bullet Corporation (“Diamond”) manufactures and distributes polycrystalline diamond compact (PDC) drill bits used for drilling on oil and gas sites and its assets are made up thousands of drill bits and shop equipment;
6. To dispose of its assets on an orderly basis for the benefit of creditors, Diamond requires the Court’s authorization for it to enter into an agreement with the proposed auction house to sell its inventory of drill bits;

**Authorizing Premiere Manufacturing Ltd. to Dispose of Industrial Plant Building**

7. Premiere Manufacturing Ltd. owns an Industrial Plant Building in Taber, Alberta. An offer to purchase said building has been made and the Court’s approval of said offer is required to conclude the agreement;

**Procedural Consolidation of the Estates**

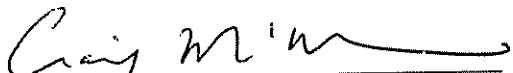
8. The notices of intention to make a proposal filed by the Debtor Companies on October 27, 2008 arise from the same facts and transactions, namely, demands for payment issued by HSBC Bank Canada, a creditor having security over the assets of the Debtor Companies;
9. The Debtor Companies have the same sole director;
10. The Debtor Companies have maintained separate and distinct bank accounts and operated as separate legal entities;
10. The Debtor Companies seek the Court’s approval that the Estates be procedurally consolidated to avoid multiplicity of proceedings; and
11. The consolidation sought, is to be solely procedural in nature, and does not seek to order an intermingling of assets;

**AND FURTHER TAKE NOTICE THAT** the Debtor Companies will rely upon the following in support of this Application:

- (a) The First Trustee's Report, to be filed;
- (b) The Affidavit of Service, filed;
- (c) Affidavit of Rick Souther dated November 20, 2008;
- (d) The BIA and the Alberta *Rules of Court*, including Rule 548;
- (e) The inherent jurisdiction of the Bankruptcy Court; and
- (f) Such further and other materials as counsel for the Debtor Companies may advise and this Honourable Court may permit.

**DATED** at the City of Calgary, in the Province of Alberta this 21st day of November, 2008.

**GOWLING LAFLEUR HENDERSON LLP**

Per:   
Craig McMahon

TO: Clerk of the Court  
AND TO: See Service List attached as Schedule "A"

## **Schedule "A"**

### **Service List**

Office of the Superintendent of Bankruptcy  
Industry Canada  
Room 510  
639 - 5th Avenue S.W.  
Calgary, Alberta T2P 0M9

Fraser Milner Casgrain LLP  
30th Floor, Fifth Avenue Place  
237 - 4th Avenue S.W.  
Calgary, Alberta T2P 4X7  
Attention: Robert Kennedy

Torry Lewis Abells LLP  
110, 220 – 4 Street South  
Lethbridge, Alberta T1J 4J7  
Attention: Greg K. Norman

Meyers Norris Penny Limited  
300, 622 – 5<sup>th</sup> Avenue S.W.  
Calgary, Alberta T2P 0M6  
Attention: Verne Wood

Court No. 25-1124515  
Estate No. 25-1124515

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

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**IN BANKRUPTCY**

**IN THE MATTER OF  
THE PROPOSAL OF  
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**OF THE TOWN OF TABER, IN THE  
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*CM* ~~ORIGINATING NOTICE OF MOTION~~ *CMC*

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GOWLING LAFLEUR HENDERSON LLP  
Barristers & Solicitors  
1400, 700 – 2<sup>nd</sup> Street S.W.  
Calgary, Alberta T2P 4V5

Responsible Solicitor:  
Craig McMahon

Telephone: (403) 298-1874  
Facsimile: (403) 695-3584

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File No.: A114525

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY**

**IN BANKRUPTCY**

**IN THE MATTER OF THE PROPOSAL OF**

**DBC INTERNATIONAL INC.**

**OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA**

*CM* ~~ORIGINATING~~ *CM* NOTICE OF MOTION

TAKE NOTICE that an application will be made on behalf of DUNN TRUCKING LTD. before the Honourable Justice J.D.B. McDonald in Chambers at the Court of Queens Bench, Calgary Courts Centre, 601 - 5th Street S.W. Calgary, Alberta, at the hour of 9:30 in the forenoon or so soon thereafter as counsel may be heard. *CM* ✓ *on Tuesday the 25<sup>th</sup> day of November* ✓ *CM*

**THE MOTION IS FOR AN ORDER:**

- (a) If necessary, dispensing or abridging the time for service of the within Notice of Motion and Affidavit of Rick Souther; and
- (b) Extending the time for DBC INTERNATIONAL INC. to file the proposal to its creditors to January 10, 2009;
- (c) Procedurally consolidating the following Estates:
  - i. THE DIAMOND BULLET CORPORATION, PREMIERE MANUFACTURING LTD. and HAT BIT SUPPLY LTD., Estate No. 25-1124515;
  - ii. DBC INTERNATIONAL INC., Estate No. 25-1124511;
  - iii. R ENVIRONMENTAL LABS LTD., Estate No. 25-1124514; and
  - iv. DUNN TRUCKING LTD., Estate No. 25-1124513;(the "Debtor Companies")

but specifically not allowing any intermingling of assets or global proposal for all Estates; and

- (f) Such further and other relief as the Debtor Companies may seek or the Court may advise.

**THE GROUNDS FOR THE MOTION ARE:**

**Extension to File Proposal Application**

1. The Debtor Companies filed notices of intention to make a proposal to their creditors on October 27, 2008 under the provisions of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the "BIA");
2. The Debtor Companies have assets valued in excess of the Debtor Companies' liabilities, which if sold in an orderly manner, will be able to satisfy the Debtor Companies' indebtedness to all creditors, secured and unsecured.
3. The cataloguing of thousands of pieces of inventory was necessary to the Debtor Companies' proposal but time consuming. The Debtor Companies require further time to formulate their proposal;
4. The Debtor Companies have been acting in good faith, with due diligence and no creditors will be materially prejudiced by this extension request;

**Procedural Consolidation of the Estates**

5. The notices of intention to make a proposal filed by the Debtor Companies on October 27, 2008 arise from the same facts and transactions, namely, demands for payment issued by HSBC Bank Canada, a creditor having security over the assets of the Debtor Companies;
6. The Debtor Companies have the same sole director;
7. The Debtor Companies have maintained separate and distinct bank accounts and operated as separate legal entities;

8. The Debtor Companies seek the Court's approval that the Estates be procedurally consolidated to avoid multiplicity of proceedings; and
9. The consolidation sought, is to be solely procedural in nature, and does not seek to order an intermingling of assets;

**AND FURTHER TAKE NOTICE THAT** the Debtor Companies will rely upon the following in support of this Application:

- (a) The First Trustee's Report, to be filed;
- (b) The Affidavit of Service, filed;
- (c) Affidavit of Rick Souther dated November 20, 2008;
- (d) The BIA and the Alberta *Rules of Court*, including Rule 548;
- (e) The inherent jurisdiction of the Bankruptcy Court; and
- (f) Such further and other materials as counsel for the Debtor Companies may advise and this Honourable Court may permit.

**DATED** at the City of Calgary, in the Province of Alberta this 21<sup>ST</sup> day of November, 2008

**GOWLING LAFLEUR HENDERSON LLP**

Per: \_\_\_\_\_

  
Craig McMahon

TO: Clerk of the Court  
AND TO: See Service List attached as Schedule "A"

## Schedule "A"

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Attention: Verne Wood

Court No. 25-1124514  
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IN THE COURT OF QUEEN'S BENCH OF  
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JUDICIAL DISTRICT OF CALGARY

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**IN BANKRUPTCY**  
**IN THE MATTER OF**  
**THE PROPOSAL OF**  
**DBC INTERNATIONAL INC.**  
**OF THE TOWN OF TABER, IN THE**  
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*CM* ORIGINATING NOTICE OF MOTION *CM*

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Responsible Solicitor:  
Craig McMahon  
Telephone: (403) 298-1874  
Facsimile: (403) 695-3584

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File No.: A114525

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY**

**IN BANKRUPTCY**

**IN THE MATTER OF THE PROPOSAL OF**

**DUNN TRUCKING LTD.**

**OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA**

*Cm* ✓ **ORIGINATING NOTICE OF MOTION** ✓ *Cm*

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**THE MOTION IS FOR AN ORDER:**

- (a) If necessary, dispensing or abridging the time for service of the within Notice of Motion and Affidavit of Rick Souther; and
- (b) Extending the time for DUNN TRUCKING LTD. to file the proposal to its creditors to January 10, 2009;
- (c) Procedurally consolidating the following Estates:
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but specifically not allowing any intermingling of assets or global proposal for all Estates; and

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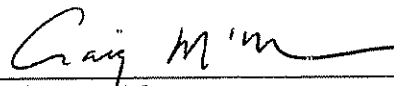
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**IN BANKRUPTCY**

**IN THE MATTER OF  
THE PROPOSAL OF**

**DUNN TRUCKING LTD.**

**OF THE TOWN OF TABER, IN THE  
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*CM* **ORIGINATING NOTICE OF MOTION** *CM*

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Responsible Solicitor:  
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Telephone: (403) 298-1874  
Facsimile: (403) 695-3584

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File No.: A114525

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY**

**IN BANKRUPTCY**

**IN THE MATTER OF THE PROPOSAL OF**

**R ENVIRONMENTAL LABS LTD.**

**OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA**

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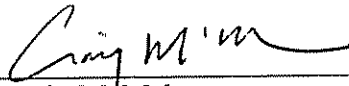
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**DATED** at the City of Calgary, in the Province of Alberta this 21<sup>st</sup> day of November, 2008

**GOWLING LAFLEUR HENDERSON LLP**

Per:   
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Craig McMahon

TO: Clerk of the Court  
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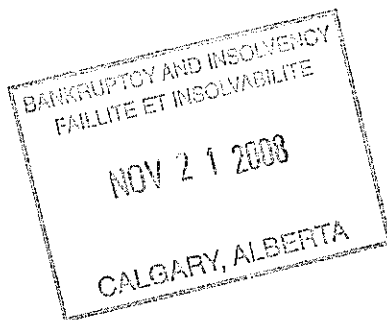
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IN BANKRUPTCY  
  
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THE PROPOSAL OF  
  
R ENVIRONMENTAL LABS LTD.  
  
OF THE TOWN OF TABER, IN THE  
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ORIGINATING NOTICE OF MOTION

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