

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

BETWEEN:

CANADIAN WESTERN BANK

Plaintiff
(Applicant)

-and-

702348 ALBERTA LTD. and GUILD DEVELOPMENTS INC.

Defendants
(Respondents)

BEFORE THE HONOURABLE
MR. JUSTICE R.P. BELZIL IN CHAMBERS
LAW COURTS, EDMONTON


ON TUESDAY, THE 10TH DAY OF
MARCH, 2009

ORDER

UPON the applications each of Meyers Norris Penny Limited in its capacity as Receiver/Manager of the Defendants ("Receiver"), Alberta Treasury Branches ("ATB") and Telecommunications Research Laboratories operating as TR Labs ("TR Labs"); AND UPON being advised by Justice R.P. Belzil that he does not hear matters involving the law firm of Bennett Jones LLP as a result of a family conflict; AND GIVEN THAT TR Labs is represented by Bennett Jones LLP; AND UPON the Court noting that it is best for a single Justice to hear and determine the applications presently before the Court; AND UPON being advised by Justice R.P. Belzil that he recuses himself from the matter and will immediately request the appointment of another commercial list Justice to hear these matters but is prepared to provide some guidance and an Order in relation to procedures leading to the ultimate hearing of the application; IT IS HEREBY ORDERED THAT:

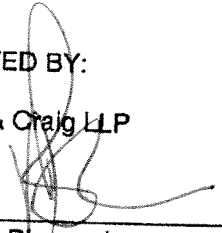
- 1) Cross-examination of the deponents presented by each of ATB and TR Labs shall take place on March 23, 2009.
- 2) Any Affidavit or Affidavits in opposition to the applications of ATB and TR Labs shall be filed and served on or before April 3, 2009. If any extension is required, leave is granted to bring application before this Court for such an extension.
- 3) Subject to any filing extensions which may sought and obtained as outlined in paragraph 2 hereof, examinations on Affidavits filed in opposition to the motions shall be completed by April 9, 2009.

4) The Order is to be approved by counsel for the Receiver, Mr. Darren R. Bieganeck, counsel for ATB, Mr. Douglas N. Tkachuk and counsel for TR Labs, Mr. James H. Heelan, Q.C. and maybe approved in counterpart and by facsimile.

Positive
D/C.Q.B.A. 

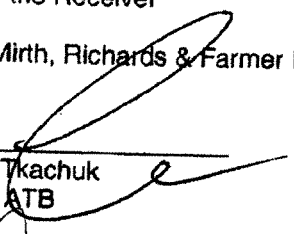
APPROVED BY:

Duncan & Craig LLP
Per:



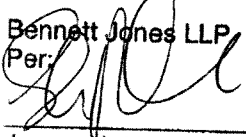
Darren R. Bieganeck
Counsel for the Receiver

Reynolds, Mirth, Richards & Farmer LLP
Per:



Douglas N. Tkachuk
Counsel for ATB

Bennett Jones LLP
Per:



James H. Heelan, Q.C.
Counsel for TR Labs

dx

ENTERED THIS 17 DAY OF
MARCH, 2009.



CLERK OF THE COURT





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Action No. 0803 16256

2009

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Defendants

ORDER

DARREN R. BIEGANEK
Barrister & Solicitor
(780) 428-6036

File #204-163012

DUNCAN & CRAIG LLP

LAWYERS & MEDIATORS

2800 Scotia Place, 10060 Jasper Avenue
Edmonton, Alberta, Canada, T5J 3V9