

COURT NO. B131552 ESTATE NO. 11-1820752 VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA IN BANKRUPTCY

IN THE MATTER OF THE BANKRUPTCY OF 0409725 B.C. LTD.

ORDER MADE AFTER APPLICATION

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BEFORE)	THE HONOURABLE JUSTICE GRAUER)	28/MAR/2019
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ON THE APPLICATION OF G. Powroznik Group Inc. of G-Force Group, in its capacity as the court-appointed claims administrator (the "Claims Administrator") in these proceedings, coming on for hearing at Vancouver, British Columbia on December 14, 2018 and on hearing Geoffrey Dabbs, counsel for the Claims Administrator; Magnus Verbrugge, counsel for G. Powroznik Group Inc. of G-Force Group, in its capacity as the trustee in bankruptcy (the "Trustee") in these proceedings; Adnan Habib, counsel for Standard Building Supplies Ltd.; and Daniel Healey, on behalf of Langley Door Crazy & Building Supplies Ltd.; AND UPON READING the material filed, including:

- a) First Report of the Trustee dated December 18, 2013;
- b) Preliminary Report of the Trustee dated January 7, 2014;
- c) First Report of the Claims Administrator dated February 16, 2014;
- d) Second Report of the Claims Administrator dated June 6, 2014;
- e) Summary Report of the Claims Administrator dated June 30, 2014;
- f) Third Report of the Claims Administrator dated June 2, 2015;
- g) Second Report of the Trustee dated September 16, 2018;
- h) Fourth Report of the Claims Administrator dated September 17, 2018;
- i) Third Report of the Trustee dated November 14, 2018;
- j) Fifth Report of the Claims Administrator dated November 14, 2018;
- k) Comment letter from the Office of the Superintendent of Bankruptcy Canada dated February 25, 2019 (the "Comment Letter"); and,
- 1) Comments of the Trustee on the Comment Letter dated March 15, 2019,

(collectively, the "Reports")

and the affidavits of:

a) Gary Powroznik made November 14, 2018;

- b) Stephanie Donay made November 14, 2018; and
- c) Allan J. Perry made November 14, 2018,

(collectively, the "Fee Affidavits"),

and:

- a) Affidavit #1 of Jason Hammond made December 23, 2013;
- b) Affidavit #1 of Erin Stewart made September 25, 2018;
- c) Affidavit #1 of Daniel James Healey made November 19, 2018;
- d) Affidavit #1 of Michael J. MacLeod made November 25, 2018;
- e) Affidavit #1 of Karen McInnes made November 26, 2018;
- f) Affidavit #2 of Daniel James Healey made December 5, 2018; and
- g) Affidavit #2 of Gary Powroznik made December 12, 2018,

AND ON JUDGMENT BEING RESERVED TO TODAY'S DATE, THIS COURT ORDERS THAT:

- 1. The activities of the Claims Administrator and the Trustee, as set out in the Reports, are hereby approved.
- 2. The distribution, as set out in the Reports, of the Trust Funds and Holdback collected under the Trust Claim Settlement Program (each capitalized term as defined in the Reports), is hereby approved.
- 3. The fees and disbursements of the Claims Administrator and its counsel and the Trustee and its counsel, as set out in the Fifth Report of the Claims Administrator and as set out in the Fee Affidavits, are hereby approved, except that the fees and disbursements of the Claims Administrator are to be reduced by the amount of \$11,880.00, with a corresponding increase in the amount to be disbursed by the Claims Administrator in accordance with the order dated July 16, 2015 in these proceedings.
- 4. After payment of the fees and disbursements of the Claims Administrator and the Trustee, including the fees and disbursements of their respective counsel, the Claims Administrator shall disburse all funds remaining in its hands in accordance with the order dated July 16, 2015 in these proceedings, as modified based upon the recommendations of the Claims Administrator in the Fourth Report and the Fifth Report.
- 5. The Claims Administrator shall pay into court in these proceedings any balance of Trust and Lien Funds (each capitalized term as defined in the Reports) that remain in the Claims Administrator's possession 200 days:
 - a) after payments are sent to Trust and Lien Claimants (each capitalized term as defined in the Reports) and they are not cashed or otherwise claimed by that date; or
 - b) after reasonable attempts are made by the Claims Administrator to locate any Trust and Lien Claimants whose addresses are unknown.

- 6. Upon payment of the amounts set out in paragraphs 4 and 5 of this order and upon the Claims Administrator filing a certificate certifying that it has completed the remaining outstanding activities described in the Fourth Report and the Fifth Report, the Claims Administrator shall be discharged as Claims Administrator, provided that notwithstanding its discharge:
 - a) the Claims Administrator shall remain Claims Administrator for the performance of such incidental duties as may be required to complete the administration of the Trust Claim Settlement Program in accordance with the order dated December 19, 2013 in these proceedings and any amendments thereto; and
 - b) the Claims Administrator shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of G. Powroznik Group Inc. of G-Force Group in its capacity as Claims Administrator.
- 7. Notwithstanding any provision herein, this order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other order of this Court.
- 8. The Claims Administrator is at liberty to apply if further directions are required.
- 9. Endorsement of the form of this order by the other parties or their counsel appearing at the hearing of the application is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER:

Signature of Geoffrey Dabbs,

Lawyer for the Claims Administrator

Digitally signed by Grauer, J

By the Court

Digitally signed by Kristen Day

Registrar in Bankruptcy