



Court File No. VLC-S-S-1710393
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,
S.B.C. 2002, c. 57, AS AMENDED

AND

IN THE MATTER OF THE *CANADIAN CORPORATIONS ACT*,
R.S.C. 1985, c. C-44, AS AMENDED

AND

IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF
ALL CANADIAN INVESTMENT CORPORATION

NOTICE OF APPLICATION

Name(s) of applicant(s): Boale, Wood & Company Ltd., Monitor in these proceedings, and its counsel, Kornfeld LLP

To: The Service List

TAKE NOTICE that an application will be made by the Applicant to the presiding judge or master at the Courthouse at 800 Smithe Street, Vancouver, British Columbia, on November 6, 2019 at 9:00 a.m. for the Order(s) set out in Part 1 below.

Part 1: ORDER(S) SOUGHT

An Order that the fees and disbursements of Boale, Wood & Company Ltd., Monitor in these proceedings, and its counsel as set out in the Affidavit #1 of Douglas B. Hyndman and Affidavit #2 of John McEown, be and they are hereby approved for the period November 15, 2017 to and including September 30, 2019.

Part 2: FACTUAL BASIS

1. By Court Order in these proceedings pronounced November 10, 2017 (the “Order”), Boale, Wood & Company Ltd. was appointed Monitor in these proceedings.
2. Pursuant to paragraph 30 of the Order, the Monitor and counsel for the Monitor are to be paid their reasonable fees and disbursements in each case at their standard rates and charges by the Petitioner as part of the costs of these proceedings.
3. Pursuant to paragraph 31 of the Order, the Monitor and its legal counsel are required to pass their accounts from time to time and for this purpose the accounts of the Monitor and its legal counsel are hereby referred to a judge of the British Columbia Supreme Court who may determine the manner in which such accounts are to be passed, including by hearing the matter on a summary basis or referring the matter to the Registrar of the Court.
4. In the circumstances, the Monitor and its legal counsel request that the accounts be passed summarily by the judge seized of this matter in these proceedings, Mr. Justice Walker.

Part 3: LEGAL BASIS

1. The Order pronounced November 10, 2017.

Part 4: MATERIAL TO BE RELIED ON

1. The Order pronounced November 10, 2017;
2. The *Companies Creditors Arrangement Act*;
3. Affidavit #1 of D.B. Hyndman made October 31, 2019;
4. Affidavit #2 of John McEown made November 1, 2019;
5. the pleadings and proceedings had and taken herein; and
6. such further or other material as counsel may advise and this Honourable Court permit.

The applicant estimates that the application will take approximately 5 minutes.

This matter is within the jurisdiction of the Master.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to the application, you must:

- (a) file an application response in Form 33 within 5 days after the date of service of this notice of application or, if the application is brought under Rule 9-7 of the Supreme Court Civil Rules, within 11 days after the date of service of this notice of application; and

- (b) at least 2 days before the date set for hearing of the application, serve on the applicant two copies, and on every other party one copy of a filed copy of the application response and the other documents referred to in Rule 9-7(12) of the Supreme Court Civil Rules.

Dated: November 1, 2019.

 Signature of Lawyer for Applicant
 Douglas B. Hyndman
 Kornfeld LLP

To be completed by the Court only:

Order made

- in the terms requested in paragraphs _____ of Part 1 of this notice of application
- with the following variations and additional terms:

Date: _____

Signature of Judge Master

APPENDIX

[The following information is provided for data collection purposes only and is of no legal effect.]

THIS APPLICATION INVOLVES THE FOLLOWING:

[Check the box(es) below for the application type(s) included in this application.]

- discovery: comply with demand for documents
- discovery: production of additional documents
- oral matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts

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D.B. Hyndman

File: BOA004/ALL171
