

COURT FILE NUMBER 1501 11817

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF EASY LOAN CORPORATION and MIKE TERRIGNO

DEFENDANTS BASE MORTGAGE & INVESTMENTS LTD., BASE FINANCE LTD., ARNOLD BREITKREUTZ, SUSAN BREITKREUTZ, SUSAN WAY and GP ENERGY INC.

DOCUMENT **ORDER**
(Conflict Allegations and Costs)

ADDRESS FOR
SERVICE AND
CONTACT
INFORMATION OF
PARTY FILING THIS
DOCUMENT

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I hereby certify this to be a true copy of
the original Order

Dated this 4 day of June 19
[Signature]
for Clerk of the Court

DATE ON WHICH ORDER WAS PRONOUNCED: April 5, 2019

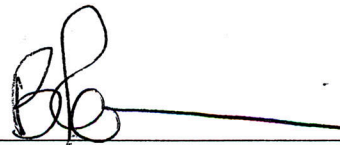
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Madam Justice B.E.C. Romaine

LOCATION OF HEARING: Calgary Courts Centre
601 – 5th Street SW
Calgary, AB

UPON THE APPLICATION OF Mike Terrigno, filed March 25, 2019 (the “**Application**”); **AND UPON** reviewing the Eighth Report of the Receiver, dated March 7, 2019, the First Supplemental Report to the Receiver’s Eighth Report, dated March 27, 2019, and Exhibit 6 to the Second Supplemental Report to the Receiver’s Eighth Report, dated April 3, 2019; **AND UPON** reviewing the Affidavits of Mike Terrigno, sworn January 17, 2019 and January 22, 2019, the Affidavit of Rocco Terrigno, sworn March 23, 2019 and the email of Mike Terrigno to counsel for BDO Canada Ltd., in its role as Receiver (the “**Receiver**”) without security of all the current and future assets, undertakings, and properties of every nature and kind whatsoever, and wherever situate, of Base Mortgage & Investments Ltd. and Base Finance Ltd., dated March 25, 2019 and provided to the Court on April 3, 2019 (the “**Email**”); **AND UPON** hearing from counsel to the

Receiver, Mike Terrigno, and counsel for Receiver's counsel; **AND UPON** this Court issuing verbal reasons for decision on April 5, 2019 and Written Reason for Decision on April 17, 2019; **IT HEREBY ORDERED AND DECLARED THAT:**

1. The relief sought at paragraphs 14, 60 to 63, and 71 to 75 of the Application (as clarified by the Email) disqualifying counsel to the Receiver from continuing to act on the basis of a real or apparent conflict and solicitor-client costs against Receiver's counsel (the "**Conflict Issue**") is dismissed.
2. The remainder of the Application is adjourned *sine die*.
3. Mike Terrigno shall pay counsel to the Receiver costs of the Conflict Issue on a solicitor-client basis, the quantum of which shall be fixed by this Court pursuant to the following procedure:
 - (a) Counsel to the Receiver shall provide this Court and Mr. Terrigno with its calculation of all costs on a solicitor-client basis relating to the Conflict Issue; and
 - (b) Within two weeks of receipt of such calculation, Mr. Terrigno shall provide the Court with submissions (if any) of not more than 5-pages responding to the calculation.



J.C.Q.B.A.