

DUPLICATE ORIGINAL

CANADA)
PROVINCE OF SASKATCHEWAN)

Q.B. No. 721 of 2012

IN THE COURT OF QUEEN'S BENCH OF SASKATCHEWAN
JUDICIAL CENTRE OF SASKATOON

BETWEEN:

THE TORONTO-DOMINION BANK

**Plaintiff
(Applicant)**

- and -

101142701 SASKATCHEWAN LTD. and
CAVA SECRETA WINES AND SPIRITS LIMITED

Defendants (Respondents)

BEFORE THE HONOURABLE) ON THURSDAY,
MADAM JUSTICE A.R. ROTHERY) THE 14th DAY OF
IN CHAMBERS) JUNE, 2012

ORDER

UPON the application of The Toronto-Dominion Bank (“TD Bank”) in respect of 101142701 Saskatchewan Ltd. and Cava Secreta Wines and Spirits Limited (collectively, the “**Debtor**”); AND UPON having read the Notice of Motion on behalf of Cellar Master Enterprises Inc. (Proof of Claim #1) dated June 11, 2012, the Notice of Motion on behalf of Cellar Master Enterprises Inc. (Proof of Claim #2) dated June 11, 2012, the Notice of Motion on behalf of Ren Holdings Ltd. dated June 11, 2012, the Notice of Motion on behalf of Cameron Rizos dated June 11, 2012, the Notice of Motion on behalf of John Thronberg and Christie Kurtz dated June 11, 2012 (collectively, the “**Five Notices of Motion**”); the Notice of Motion on behalf of TD Bank dated June 12, 2012 (the “**TD Bank Notice of Motion**”), the Affidavit of Craig Stannard sworn on May 2, 2012, the First Report of the Interim Receiver dated May 16, 2012, the Second Report of the Interim Receiver dated June 4, 2012, the Third Report of the Interim Receiver dated June 12, 2012, the Order of the Honourable Madam Justice A.R. Rothery dated May 8, 2012, appointing PricewaterhouseCoopers Inc. as interim receiver of the property, assets and undertaking of the Debtor (the “**Interim Receivership Order**”), the Amended and

Restated Receivership Order and the pleadings and proceedings taken herein; AND UPON hearing counsel for the Receiver, counsel for TD Bank, counsel for Cellar Master Enterprises Inc. and Ren Holdings Ltd., counsel for the Saskatchewan Ministry of Finance, counsel for the Saskatchewan Liquor and Gaming Authority, Cameron Rizos and all other interested parties;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. All Five Notices of Motion are to be adjourned *sine die* to be brought back on seven days' notice.
2. Counsel to TD Bank will advise all parties on the Service List that the motions regarding disputed claims have been adjourned *sine die* for the purpose of exploring mediation, and if any parties wish to participate in the mediation, that party is to contact counsel for the TD Bank within three days of receiving this notice.

ISSUED at Saskatoon, Saskatchewan, this 15th day of June, 2012.

V Groll
DEPUTY LOCAL REGISTRAR

This Order was delivered by:

MacPherson Leslie & Tyerman LLP

Lawyers

1500 – 410 22nd Street East

Saskatoon, Saskatchewan

S7K 5T6

Lawyer in Charge of File: Jeffrey M. Lee

Tel: (306) 975-7100

Fax: (306) 975-7145

TO: Local Registrar, Judicial Centre of Saskatoon

TO: Those persons listed on the Service List attached as Schedule "A" to the TD Bank Notice of Motion