

**DUPLICATE
ORIGINAL**

Q.B. No. 1331 of 2012

IN THE COURT OF QUEEN'S BENCH OF SASKATCHEWAN

JUDICIAL CENTRE OF SASKATOON

BETWEEN:

BANK OF MONTREAL

Plaintiff
(Applicant)

- and -

SHANE SCOTT and MICHELLE SCOTT

Defendants
(Respondents)

ORDER

BEFORE THE HONOURABLE) ON TUESDAY THE 23RD
MADAM JUSTICE A.R. ROTHERY) DAY OF APRIL, 2013
IN CHAMBERS)

UPON THE APPLICATION OF Bank of Montreal in respect of Shane Scott and Michelle Scott (collectively, the "Scotts"), AND UPON having read the pleadings and proceedings previously filed, in particular the Order of the Honourable Madam Justice A.R. Rothery dated February 4, 2013; **AND UPON** hearing counsel for Bank of Montreal, the Receiver, the Scotts, and Sheldon Guckert and Belinda Guckert;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Bank of Montreal ("BMO") shall have:
 - (a) access to the transcript (the "Transcript") of the examination of Shane Scott held on November 15, 2012 (the "Examination"), as sealed by an Order of the Court on February 4th, 2013;
 - (b) leave to copy the Transcript;
 - (c) leave to use the Transcript in connection with the trial of the issue (the "Trial") ordered by the Court with respect to the claim by Sheldon Guckert and Belinda Guckert to ownership of cattle that were in the possession of Shane Scott and Michelle Scott (the "Scotts"); and

(d) leave to use the Transcript with respect to their investigations as to whether there are any potential avenues available for locating the assets that BMO had expected to be in the Scotts' possession, and in respect of any proceedings that BMO may commence to recover such assets.

2. Having signed and delivered an Application for Hearing, Michelle Scott is deemed to have been served with a Notice of Intention to Take Possession in the form served upon Shane Scott on or about February 23, 2013.

ISSUED at the City of Saskatoon, in the Province of Saskatchewan, this 24th day of April, 2013.


R. Robertson
DEPUTY LOCAL REGISTRAR

This was delivered by:

MILLER THOMSON LLP
123-2nd Avenue South, Suite 600
Saskatoon, SK S7K 7E6
Lawyer in charge of file: David G. Gerecke
Telephone Number: 306.667.5615
Facsimile: 306.652.1586

TO: Local Registrar, Judicial Centre of Saskatoon
TO: Counsel for the Receiver, the Scotts and Sheldon and Belinda Guckert