

COURT FILE NUMBER 1412 00118
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE WETASKIWIN
PLAINTIFF THE ESTATE OF MARKUS ABT by its Litigation Representative, DANIEL ABT; and ADELLE ABT
DEFENDANTS COLD LAKE INDUSTRIAL PARK GP LTD., IMC DEVELOPMENTS LTD. formerly known as INTEGRA MULTI CORP.; 1196776 ALBERTA LTD.; 527573 ALBERTA LTD.; COLD LAKE ESTATES INC.; NORTHERN ALBERTA ESTATES INC.; CAPITAL GROWTH INVESTMENT CORP.; COLD LAKE INDUSTRIAL PARK INVESTMENT CORPORATION; MULLER RYAN RICHARD DEVELOPMENT GROUP INC.; CANADIAN CAPITAL INVESTMENT CORP.; 1476089 ALBERTA LTD.; CHARLES E. RYAN; ROGER RICHARD; MATTHYS MULLER; HENDRIK MULLER, RUSSEL DIXON; LAURA DIXON, ROLLIE COMEAU; JORDAN RYAN; SUN LIFE FINANCIAL INC.; COLLINS BARROW LLP; WHEATLEY SADOWNIK; NESTOR MAKUCH; GLEN COWAN & ASSOCIATES REAL PROPERTY APPRAISAL LTD.; ED JACKSON and JOHN SCHNEIDER



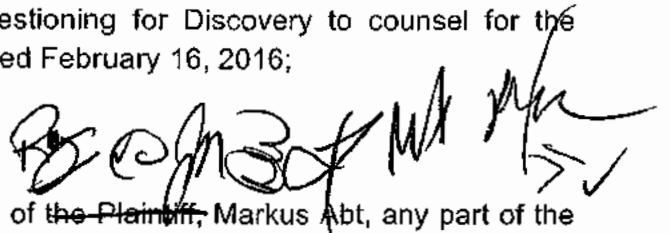
AND

COURT FILE NUMBER 1512 000082
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE WETASKIWIN
PLAINTIFFS CHARLES E. RYAN; COLD LAKE INDUSTRIAL PARK GP LTD.; COLD LAKE ESTATES INC.; NORTHERN ALBERTA ESTATES INC.; CAPITAL GROWTH INVESTMENT CORP.; COLD LAKE INDUSTRIAL PARK INVESTMENT CORPORATION; MULLER RYAN RICHARD DEVELOPMENT GROUP INC.; CANADIAN CAPITAL INVESTMENT CORP.; 1476089 ALBERTA LTD.
DEFENDANTS THE ESTATE OF MARKUS ABT by its Litigation Representative, DANIEL ABT; and ADELLE ABT
DOCUMENT **ORDER granted May 6, 2016 by Justice B. Millar**
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT RICK H. HEMMINGSON PROFESSIONAL CORPORATION
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5025 - 51 Street, Lacombe, Alberta T4L 2A3
Telephone: 403.782.3391 Facsimile: 403.782.3961 File #72,140

DATE ON WHICH ORDER WAS PRONOUNCED: May 6, 2016
LOCATION OF HEARING: Calgary, Alberta
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice B. Millar

UPON APPLICATION of the Plaintiffs in Action No. 1412 00118 seeking an Order for the admission of Affidavits and transcripts of the Plaintiff, Markus Abt (deceased), as trial evidence; AND UPON READING the written submissions filed on behalf of the Plaintiffs and on behalf of the Defendants in Action No. 1412 00118 (the "main action"); AND UPON HEARING representations on behalf of those Plaintiffs and Defendants; AND UPON BEING ADVISED that counsel for the Plaintiffs in the main action has already provided redacted transcripts of Questioning for Discovery to counsel for the Defendants pursuant to the Order of Justice Hopkins granted February 16, 2016;

IT IS HEREBY ORDERED THAT:




1. Counsel for in both actions may enter as evidence of ~~the Plaintiff~~, Markus Abt, any part of the redacted transcripts of Questioning for Discovery of Markus Abt conducted in this matter. Counsel for the Plaintiffs in the main action have until May 18, 2016 to submit redacted transcripts to counsel for the Defendants in the main action, if the redacted transcripts are any different than those previously provided to counsel for the Defendants in the main action. Counsel for the Defendants in the main action have until May 24, 2016 to advise counsel for the Plaintiffs in the main action, whether there are any additional portions of those transcripts which they would like before the Court.
2. Counsel in both actions may also enter as evidence any part of the Affidavits of Markus Abt filed in this matter and any part of the transcripts of Questioning (Cross-Examination) on those Affidavits.
3. Counsel for the Plaintiffs in the main action will provide to counsel for the Defendants in the main action redacted copies of the transcripts of Questioning (Cross-Examination) on the Affidavits of Markus Abt setting out the portions of those transcripts that the Plaintiffs propose to enter as evidence in chief by May 18, 2016. Counsel for the Defendants in the main action will then advise counsel for the Plaintiffs by May 24, 2016 as to whether there are any additional portions of those transcripts which they would like before the Court.
4. Either party shall be at liberty to enter additional portions of the said transcripts and Affidavits during the course of the trial, subject to the normal rules of evidence and procedure.


5. The Plaintiffs in the main action shall have their taxable costs of this Special Chambers Application as against the Defendants in the main action, to be paid in equal shares by those Defendants, calculated under Column 5 of Schedule C.

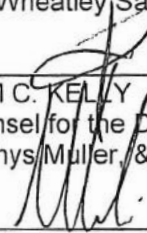
"B. Millar"

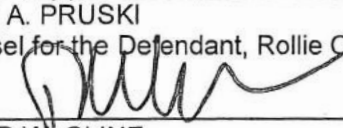
Justice of the Court of Queen's Bench of Alberta

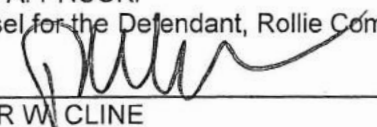
APPROVED AS TO FORM BY:



RICK HEMMINGSON
Counsel for the Plaintiffs


VAUGHN COX
Counsel for the Defendants, Nestor Makuch
and Wheatley Sadownik

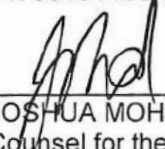

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PETER W. CLINE
Solicitor for the Defendant,
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Estates Inc., Capital Growth Investment
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Investment Corporation, Muller Ryan
Richard Development Group Inc.,
Canadian Capital Investment Corp.,
1476089 Alberta Ltd.


JOSHUA MOHR
Counsel for the Defendants
In Action No. 1512 00082