

COURT FILE NUMBER 24-2616200  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE EDMONTON



IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*, RSC 1985 c. B-2; AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF TRI-AG IMPLEMENTS LTD.

APPLICANT FARM CREDIT CANADA  
DOCUMENT ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
**Sharek Logan & van Leenen LLP**, Barristers and Solicitors  
2100 Scotia Place, 10060 Jasper Avenue, Edmonton, AB T5J 3R8  
Phone: 780.413.3100 Lawyer: David Archibold File 15307/DA

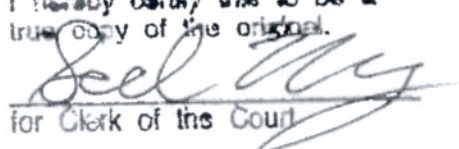
DATE ON WHICH ORDER WAS PRONOUNCED: MARCH 10, 2020  
NAME OF JUSTICE WHO MADE THIS ORDER: JUSTICE R.A. GRAESSER  
LOCATION OF HEARING: EDMONTON, ALBERTA

UPON THE CROSS-APPLICATION of the FARM CREDIT CANADA, secured creditor; AND UPON noting that the Interim Receivership Order in Action No. 2003 02536 (the "Receivership Action"), continued by the Consent Order granted February 12, 2020 in this Action and the Receivership Action has expired; AND UPON reading the Affidavits of Jay Penner, filed; AND UPON hearing from counsel for the Notice of Intention Trustee, Debtor, Secured Creditors, and Canada Revenue Agency ("CRA"); AND UPON reviewing the Trustee's First Report, filed;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

- 1) Notice of this application is abridged to time actually given and this Application is properly returnable today.
- 2) The personal property held as collateral security by Farm Credit Canada, described in Schedule "A" hereto (the "Collateral"), to the extent it is actually in possession of Tri-Ag is hereby released to Farm Credit Canada, and Farm Credit Canada is hereby entitled to seize or repossess directly the Collateral.
- 3) The provision of a Notice of Intention to Sell under section 60 of the *Personal Property Security Act*, RSA 2000, c. P-7 is hereby dispensed with and Farm Credit Canada may immediately dispose of the Collateral.
- 4) The net sale proceeds of the Collateral will be applied first to the obligations of Tri-Ag Implements Ltd. to Farm Credit Canada secured under the Inventory Financing Agreement dated effective September 21, 2015 and the balance, if any, shall be held in trust pending further order of the Court.
- 5) Notwithstanding paragraph 4 of this Order, should Her Majesty in Right of Canada or Her Majesty in Right of Alberta have a valid super-priority claim respecting Tri-Ag that, by operation of Federal or Provincial legislation, ranks in priority to any secured creditor of Tri-Ag (a "Super Priority Claim"), this Order is without prejudice to FCC being allocated a portion of such Super Priority Claim as agreed to by those secured creditors impacted by such Super Priority Claim, or by further Order of the Court arising from an application brought on notice to the secured creditors in this Proceeding.

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

  
for Clerk of the Court

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- 6) This Order must be served only upon those interested parties attending or represented at the within application and service may b affected by facsimile, email or delivery. Service is deemed effected 2 business days following transmission or delivery.
- 7) Service on any other party not attending the application for this Order is hereby dispensed with.



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JUSTICE R.A. GRAESSER

## SCHEDULE "A" TO ORDER

Identification	Description
YBG114106	NH CR9080 Combine
YBG114132	NH CR9070 combine
751912011	NH CR9090Z combine
C7700164	Claas 670 combine
YCG115750	NH CR8090 combine
YCG115751	NH CR8090 combine
191990-09	Macdon M150 Swather
42069HH-04	Bourgault 7200-84' Heavy Harrow
LJE401928	NH T7.245 Tractor
261630-14	Macdon D65-35 Header
250284-14	Macdon D65-35 Header
235103-13	Macdon FD75-45 Header
252455-14	Macdon D65-40 Header
252456-14	Macdon D65-40 Header
252457-14	Macdon D65-40 Header
281711-15	Macdon FD75-40 Header
281712-15	Macdon FD75-40 Header
294851-16	Macdon FD75-45 Header
294852-16	Macdon FD75-45 Header
309703-17	Macdon FD75-45 Header
JJE402653	NH T7.270 Tractor
YFWLT0146	NH 865TL loader
YEG118615	NH CR8090 Combine
YEG118620	NH CR8090 Combine
YCYM00412	NH SP.240F sprayer
ZGLE50315	NH T4.100 Tractor
YBG114374	NH CR9070 Combine
36GB101352	NH HoneyBee 94C-36 Header
745524	JD 635D Header
YEYM00810	NH SP.275R sprayer
36GB081474	NH 94C Header
36GB081277	NH 94C-36 Header
36GB101360	NH 94C Header
36GB121371	NH 94C Header
Y107018000041	Buhler 10"X70' Auger
305916-17	Macdon M155 SP Windrower
310668-17	Macdon D65 Header
310671-17	Macdon D65 Header
2270002532	NH Workmaster 33 tractor
2271001865	NH Workmaster 37 tractor
YGG626370	NH Durabine 416 Discbine
YEZB11327	NH Duraswath 436HB Header
YEZB11328	NH Duraswath 436HB Header
YEZB11360	NH Duraswath 430HB Header
YFG675769	NH Speedrower 260 Swather
YFG675907	NH Speedrower 260 Swather