

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY

BETWEEN:

KENDAX INVESTMENTS INC.

Applicant

and

**DONALD CARMICHAEL, 658051 ONTARIO LIMITED and
KINGSCROFT INVESTMENTS LTD.**

Respondents

NOTICE OF MOTION

TAKE NOTICE THAT an application will be made by the Judicial Trustee before the Honourable Madam Justice Horner in Chambers, at the Court House, in the City of Calgary, in the Province of Alberta on Friday, the 11th day of June, 2004 at the hour of 1:00 o'clock in the afternoon or so soon thereafter as Counsel may be heard for an Order:

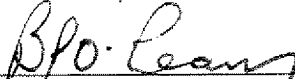
1. Approving the interim fees and disbursements of the Judicial Trustee.
2. Such further and other relief as this Honourable Court may deem just.

AND FURTHER TAKE NOTICE that pursuant to the Order granted by the Honourable Justice Cairns on January 22, 2003, the Judicial Trustee is required to have its accounts passed by the Court from time to time.

AND FURTHER TAKE NOTICE that in support of this Application we will rely upon the Affidavit of Bruce E. Alger, filed, the Order granted by the Honourable Justice Cairns on January 22, 2003, and such other documents as Counsel may advise and the Court may permit.

DATED at the City of Calgary, in the Province of Alberta, this 1st day of June, 2004.

BURNET, DUCKWORTH & PALMER LLP



Brian P. O'Leary, Q.C.
Solicitor for the Plaintiffs

TO: Clerk of the Court
AND TO: Attached Service List

ALGER & ASSOCIATES INC.

Re: Bonaventure Court

SERVICE LIST

<p>Carscallen, Reinhart, Mathany, Maslak 619 James Street P.O. Box 409 Wallaceburg, Ontario N8A 4X1</p> <p>Attention: John Mathany Fax: (519) 627-1030</p> <p>Solicitors for Ronald Duke</p>	<p>Bishop & McKenzie LLP Suite 2500, 700 – 9th Avenue SW Calgary, Alberta T2P 3V4</p> <p>Attention: Russ Avery Fax: 263-3423</p> <p>Solicitors for Donald Carmichael, 658051 Ontario Limited and Kingscroft Investments</p>
<p>Fraser Milner Casgrain LLP 3000, 237 – 4th Avenue SW Calgary, Alberta T2P 4X7</p> <p>Attention: David LeGeyt Fax: 268-3031</p> <p>Solicitors for Linda Dixon</p>	<p>Kendax Investments Inc. 45 Kingsbridge Garden Circle Suite 2707 Mississauga, Ontario L5R 3K4</p> <p>Attention: Joyce Kendall Fax: (905) 890-0033</p> <p>No counsel at this time</p>
<p>Alger & Associates Inc. Suite 400, 602 – 11th Avenue SW Calgary, Alberta T2R 1J8</p> <p>Attention: Bruce Alger Mike Costello Fax: 296-2988</p> <p>Judicial Trustee</p>	<p>BrazeauSeller LLP 55 Metcalfe Street Ottawa, Ontario K1P 6L5</p> <p>Attention: Melanie McDonald Fax: (613) 237-4001</p> <p>Solicitors for David Kiperchuk</p>
<p>Kramer Henderson 120 Adelaide Street W. Toronto, Ontario M5H 1T1</p> <p>Attention: Gregory M. Sidlofsky Fax: (416) 601-0712</p> <p>Solicitors for John Biondich</p>	

Action No. 0201-13248

IN THE COURT OF QUEEN'S
BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY

BETWEEN

KENDAX INVESTMENTS INC.

Plaintiff

and

**DONALD CARMICHAEL and 658051
ONTARIO LIMITED**

Defendants

NOTICE OF MOTION

Burnet, Duckworth & Palmer LLP
Barristers and Solicitors
First Canadian Centre
1400, 350 - 7th Avenue S.W.
Calgary, Alberta T2P 3N9

Attention: Brian P. O'Leary, Q.C.

Phone: (403) 260-0373

Fax: (403) 260-0332

File No. 58585-1

