

APPENDIX 1
JUDICIAL TRUSTEE'S FOURTH SPECIAL REPORT
BONAVENTURE COURT
ACTION NO. 0201-13248

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 LIMITED**

Respondents

and

BONAVENTURE SMALL INVESTORS GROUP

Interested Party

BEFORE THE HONOURABLE) At the Court of Queen's Bench, at Calgary,
MADAM JUSTICE K. M. HORNER) Alberta on Tuesday, the 7 th day of September,
IN CHAMBERS) 2010.

ORDER

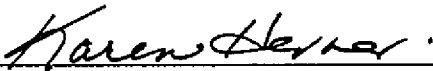
UPON THE APPLICATION of Alger & Associates Inc., the Judicial Trustee of Bonaventure Court (the "Judicial Trustee"); **AND UPON** hearing read the Twelfth Report of the Judicial Trustee, filed; **AND UPON** hearing submissions of counsel for the Judicial Trustee; **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Service of the Notice of Motion dated September 1, 2010 and materials in support thereof are hereby deemed good and sufficient, this application is properly returnable today.
2. The process and schedule for resolution of disputes regarding ownership of units of Bonaventure Court is as follows:
 - (a) The issues will be determined by way of special chambers application to be scheduled before Justice K. Horner;
 - (b) The evidence which may be relied upon in the application shall be the Third Special Report of the Judicial Trustee to be filed, as described in the 12th report of the Judicial Trustee, any affidavits previously filed in the within proceedings, transcripts of any cross-

examinations already conducted, any further affidavits the parties may wish to file and transcripts of cross-examination on such affidavits; and

(c) All evidence to be relied upon, as well as any written submissions of the parties shall be filed on or before two weeks prior to the special chambers application, with copies to be provided concurrently to Justice Horner.

3. The Order granted on March 31, 2010 is hereby varied to include a stay of any purported transfers of promissory notes by the Respondent and it is directed that any such purported transfers are of no force and effect.



J.C.C.Q.B.A.

ENTERED this 7th day of September, 2010

K. MCALISI AND
C.C.Q.B.A.



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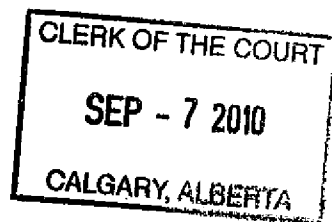
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Interested Parties

ORDER



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File No. 58585-1
