

COURT FILE NUMBER

2601-11638

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, as amended

AND IN THE MATTER OF A PLAN OR ARRANGEMENT
OF MLG GP LTD., 1094501 ALBERTA INC., 1705236
ALBERTA INC., 754439 ALBERTA INC., 604896
ALBERTA INC., 868195 ALBERTA INC., and 872845
ALBERTA INC.

DOCUMENT

**APPLICATION – STAY EXTENSION, WEPPA
DECLARATION, ENHANCED MONITOR'S POWERS
AND APPROVAL OF MONITOR'S ACTIVITIES**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

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File No. 121159.00001

NOTICE TO RESPONDENTS

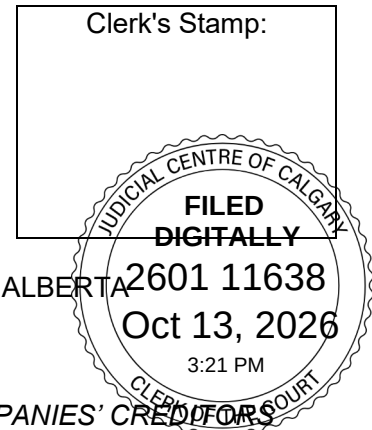
This application is made against you. You are a respondent.

You have the right to state your side of this matter before the judge.

To do so, you must be in Court when the application is heard as shown below:

Date:	Monday, October 19, 2026
Time:	3:30 p.m. (Calgary time)
Where:	Calgary Courts Centre (In person/via Webex) https://albertacourts.webex.com/meet/virtual.courtroom60
Before Whom:	The Honourable Justice C. C. J. Feasby

Go to the end of this document to see what else you can do and when you must do it.



Remedy claimed or sought:

1. The Applicants, 23612179 Limited Partnership (formerly, MTE Logistix Limited Partnership), 23612179, MLG GP Ltd., 1094501 Alberta Inc. (formerly, Active Warehousing Inc.), 1705236 Alberta Inc. (formerly, Hydrive Forklift & Equipment Inc.), 754439 Alberta Inc. (formerly, MTE Logistix Calgary Inc.), 604896 Alberta Inc. (formerly, MTE Logistix Edmonton Inc.), 868195 Alberta Inc. (formerly, MTE Logistix Management Inc.), and 872845 Alberta Inc. (formerly, Porter Warehousing & Distribution Inc.) (collectively, the “**Applicants**”) respectfully seek an Order substantially in the form attached hereto as **Schedule “A”**:
 - (a) abridging the time for service of this Application and the supporting materials, as necessary, and deeming service thereof to be good and sufficient;
 - (b) approving the activities of KPMG Inc., in its capacity as monitor (the “**Monitor**”) as detailed in the Third Report to be filed (the “**Third Report**”);
 - (c) extending the stay of proceedings under the ARIO (as hereinafter defined) to January 29, 2027;
 - (d) declaring that the Applicants meet the criteria prescribed in section 3.2 of the *Wage Earner Protection Program Regulations*, SOR 2008-222 (the “**WEPP Regulations**”) and that the Applicants’ former employees are eligible individuals to whom the *Wage Earner Protection Program Act*, S.C. 2005, c. 47, s. 1 (“**WEPPA**”) applies; and
 - (e) upon the filing of a certificate by the Monitor, enhancing the rights, powers and obligations of the Monitor to, among other things, empower the Monitor to execute documents on behalf of the Applicants and to cause the Applicants to take such corporate actions as the Monitor deems advisable for the completion of the administration of the CCAA proceedings; and
2. Such other relief as counsel may request and this Honourable Court may grant.

Grounds for making this Application

3. The Applicants were one of Western Canada’s largest third-party logistics providers. The Applicants leased 16 facilities in Edmonton and Calgary and employed more than 300 people.
4. On June 29, 2026, on the application of Fiera Private Debt Fund VI LP, by the sole general partner thereof, Fiera Private Debt Fund GP Inc. (the “**Lender**”) the Court of King’s Bench of

Alberta (the “**Court**”) granted an initial order (the “**Initial Order**”) under the *Companies’ Creditors Arrangement Act* (the “**CCAA**”, and such proceedings being the “**CCAA Proceedings**”) in respect of the Applicants. Pursuant to the Initial Order, KPMG Inc. was appointed as the monitor (the “**Monitor**”) of the Applicants.

5. On July 7, 2026, the Court granted an amended and restated initial order (the “**ARIO**”) in respect of the Applicants in the CCAA Proceedings, which among other things, extended the Stay Period (as defined in the ARIO) to July 30, 2026.
6. On July 20, 2026, the Court granted an order approving an asset purchase agreement between the Applicants and 2831608 Alberta Ltd., which is an affiliated entity of the Lender (the “**Purchaser**”) dated July 14, 2026 (the “**Sale Agreement**”).

WEPPA Declaration

7. On September 18, 2026, the transactions contemplated by the Sale Agreement closed. Since that date, the Applicants have continued to provide certain services to the Purchaser pursuant to a transition services agreement (the “**Transition Services Agreement**”).
8. The majority of the Applicants’ former employees were terminated upon the closing of the Sale Agreement. There are a limited number of employees who are retained by the Applicants to fulfill the obligations of the Applicants under the Transition Services Agreement and wind-down the operations of the Applicants.
9. The Applicants meet the criteria set out in section 3(2) of the WEPP Regulations, and their former employees are eligible individuals to whom WEPPA applies.
10. As such, the Applicants request a declaration under section 5(5) of WEPPA that the criteria have been met so that the former employees of the Applicants are able to apply for payment from WEPPA at the earliest opportunity, with the assistance of the Applicants and the Monitor.

Extension of Stay Period

11. The Stay Period (as defined in the ARIO) expires on October 31, 2026. In order to fulfill their obligations under the Transition Services Agreement and wind-down their operations, the Applicants request an extension of the Stay Period until January 29, 2027 (the “**Extended Stay Deadline**”).

12. The Applicants have acted in good faith and with due diligence since the CCAA Proceedings have begun.
13. None of the Applicants' creditors will be materially prejudiced if the extension to the Stay Period is granted.
14. The Applicants' 13 week cash flow forecast supports the Extended Stay Deadline.
15. The Monitor supports an extension of the stay of proceedings until the Extended Stay Deadline.

Enhancement of Monitor's Powers

16. Prior to the commencement of the CCAA proceedings, the directors of the Applicants resigned. The Initial Order and ARIO appointed two individuals as Management Signatories for the Applicants. Only one of those individuals remains with the Applicants.
17. If the remaining Management Signatory leaves, the Applicants are of the view that it is in the best interest of all stakeholders of the Applicants, that the Monitor be granted certain enhanced powers, similar to that of a Management Signatory, in order to streamline and facilitate the completion of the Applicants' obligations under the Transition Services Agreement and the completion of the CCAA proceedings for each of the Applicants.

Approval of the Reports and Activities of the Monitor

18. The Third Report sets out the status of these restructuring proceedings and the actions, activities and conduct of the Monitor to date in these proceedings.
19. The Monitor has acted honestly, in good faith and in accordance with its court-ordered and statutory duties prior to, and throughout the duration of these CCAA Proceedings to date.

Material or evidence to be relied on:

20. Affidavit #1 of Corey Knipelberg, affirmed October 13, 2026;
21. Third Report of the KPMG Inc., as Monitor, to be filed;
22. Such further or other material or evidence as counsel may advise and this Court may permit.

Applicable Acts and Regulations:

- 23. *Companies' Creditors Arrangement Act*, RSC 1985, c. C-36;
- 24. *Wage Earner Protection Program Act*, S.C. 2005, c. 47, s. 1;
- 25. *Wage Earner Protection Program Regulations*, SOR 2008-222; and
- 26. Such further and other Acts and Regulations as counsel may advise and this Court may permit.

Any irregularity complained of or objection relied on:

- 27. None.

How the application is proposed to be heard or considered:

- 28. In Person and Via Webex before the Honourable Justice C. C. J. Feasby.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes.

If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

SCHEDULE "A"
DRAFT ORDER

Clerk's Stamp:



COURT FILE NUMBER

2601-11638

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CALGARY

IN THE MATTER OF THE COMPANIES' CREDITORS
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AND IN THE MATTER OF A PLAN OR
ARRANGEMENT OF MLG GP LTD., 1094501
ALBERTA INC., 1705236 ALBERTA INC., 754439
ALBERTA INC., 604896 ALBERTA INC., 868195
ALBERTA INC., and 872845 ALBERTA INC.

DOCUMENT

**ORDER (Stay Extension, WEPPA Declaration,
Enhanced Monitor's Powers and Approval of
Monitor's Activities)**

DLA Piper (Canada) LLP
1000, 250 2 Street SW
Calgary, Alberta T2P OC1

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
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File Number: 121159-00001

DATE ON WHICH ORDER WAS PRONOUNCED:

October 19, 2026

NAME OF JUDGE WHO MADE THIS ORDER:

Justice C. C. J. Feasby

LOCATION OF HEARING:

Calgary, Alberta via Webex

UPON the application of 23612179 Limited Partnership (formerly, MTE Logistix Limited Partnership), MLG GP Ltd., 1094501 Alberta Inc. (formerly, Active Warehousing Inc.), 1705236 Alberta Inc. (formerly, Hydrive Forklift & Equipment Inc.), 754439 Alberta Inc. (formerly, MTE Logistix

Calgary Inc.), 604896 Alberta Inc. (formerly, MTE Logistix Edmonton Inc.), 868195 Alberta Inc. (formerly, MTE Logistix Management Inc.), and 872845 Alberta Inc. (formerly, Porter Warehousing & Distribution Inc.) (collectively, the **"Applicants"**); **AND UPON** noting the amended and restated initial order granted on July 7, 2026 (the **"ARIO"**), in these proceedings pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36; **AND UPON** having read the Application, the Affidavit #1 of Corey Knipelberg, affirmed October 13, 2026 (the **"Knipelberg Affidavit"**), Third Report of KPMG Inc., in its capacity as monitor (the **"Monitor"**) dated October ♦, 2026 (the **"Third Report"**), the Affidavit of Service of Emily Nakogee, sworn October ♦, 2026, filed and the materials previously filed in these proceedings; **AND UPON** hearing counsel for the Applicants, counsel for the Monitor, counsel for Fiera Private Debt Fund VI LP, by the sole general partner thereof, Fiera Private Debt Fund GP Inc., in its capacity as the interim lender (the **"Interim Lender"**), and such other counsel or interested parties present;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The time for service of the notice of application for this Order is hereby abridged and deemed good and sufficient and this application is properly returnable today
2. All capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Knipelberg Affidavit, as applicable.

EXTENSION OF STAY PERIOD

3. The Stay Period as set out in paragraph 16 of the ARIO is hereby extended from October 31 30, 2026 to January 29, 2027.

APPROVAL OF THE MONITOR'S ACTIVITIES AND REPORTS

4. The Third Report, and the activities, conduct and decisions of the Monitor as set out therein are hereby ratified and approved.

WEPPA DECLARATION

5. Pursuant to subsections 5(a)(b)(iv) and 5(5) of the *Wage Earner Protection Program Act*, S.C. 2005, c. 47, s. 1 (**"WEPPA"**), effective September 18, 2026, the Applicants meet the criteria prescribed by section 3.2 of the *Wage Earner Protection Program Regulations*, SOR/2008-222, and their former employees are individuals to whom WEPPA applies.

ENHANCED MONITOR'S POWERS

6. Upon the filing of the Monitor's certificate substantially in form set out in Schedule "A" hereto, confirming that upon the filing of such certificates, there shall be no Management Signatories (as defined in the ARIO) for the Applicants (the "**Enhanced Powers Certificate**"), notwithstanding any other provision of the ARIO, in addition to the rights and obligations of the Monitor under the *Companies' Creditors Arrangement Act*, RSC 1985, c. C-36, as amended (the "**CCAA**"), the Monitor is hereby empowered and authorized, but not obligated, to act as once in respect of the Property and Business (each as defined in the ARIO) of the Applicants and, without in any way limiting the generality of the foregoing, the Monitor is hereby expressly empowered and authorized to do any of the following where the Monitor considers it necessary or desirable (collectively, the "**Monitor's Enhanced Powers**"):

- (a) oversee and have access to all elements of the management and operation of the Business (as defined in the ARIO);
- (b) deal with all administrative matters, including to control the Applicants' bank accounts and preparing and administering WEPPA claims with respect to the Applicants' former employees;
- (c) pay from the "Wind-Down Advance" (as defined in the Sale Agreement as approved by the Approval and Vesting Order of Justice Armstrong dated July 20, 2026 (the "**Sale Agreement**")), in the name of or on behalf of the Applicants or in its own name, as applicable, the amounts, fees, costs and expenses payable in respect of the "Wind-Down Budget" (as defined in the Sale Agreement);
- (d) cause the Applicants to exercise their rights and observe their obligations under the ARIO and all other Orders of the Court in the CCAA proceedings;
- (e) take steps to cause the Applicants, to disclaim any agreements to which any of the Applicants are party in accordance with the CCAA; and
- (f) negotiate, execute, assign, issue and endorse documents of whatever nature in respect of any of the Applicants' Property (as defined in the ARIO) or Business, on behalf of the Applicants, for any purpose,

and in each case where the Monitor takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other persons, including the

Applicants and without interference from any other person.

7. Notwithstanding anything contained in this Order, the Monitor is not and shall not be deemed to be:
 - (a) a principal, director, officer or employee of the Applicants;
 - (b) an employer, successor employer, or related employer of the employees of the Applicants or any employee caused to be hired by the Applicants by the Monitor within the meaning of any relevant legislation, regulation, common law, or rule of law or equity governing employment, pensions, or labour standards for any purpose whatsoever or expose the Monitor to any liability to any individual arising from or relating to their employment or previous employment with the Applicants; and
 - (c) the receiver, assignee, liquidator, administrator, receiver-manager, agent of the creditors or legal representative of the Applicants within the meaning of any relevant legislation, regulation, common law, or rule of law or equity.
8. The Monitor shall incur no liability or obligation as a result of its appointment or the carrying out of the provisions of this Order or any of the powers and authority entrusted to the Monitor herein, save and except for any gross negligence or wilful misconduct on the Monitor's part. Nothing in this Order shall derogate from the protections afforded to the Monitor by the CCAA, any applicable legislation, or any orders granted in the with CCAA proceedings.

GENERAL

9. The Applicants and the Monitor may from time to time apply to this Court for advice and directions in the discharge of their powers and duties hereunder.
10. Any interested party (including the Applicants and the Monitor) may apply to this Court to vary or amend this Order on not less than seven (7) days' notice to any other party or parties likely to be affected by the order sought or upon such other notice, if any, as this Court may order.
11. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.
12. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in any foreign jurisdiction, to give effect to

this Order and to assist the Applicants, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicants and the Monitor and their respective agents in carrying out the terms of this Order.

13. Each of the Applicants and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order and that the Monitor is authorized and empowered to act as a representative in respect of the within proceeding for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

Justice of the Court of King's Bench of Alberta

SCHEDULE "A"
Monitor's Enhanced Powers Certificate

Clerk's Stamp:



COURT FILE NUMBER 2601-11638

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE OF CALGARY

IN THE MATTER OF THE COMPANIES'
CREDITORS ARRANGEMENT ACT, R.S.C. 1985,
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ALBERTA INC., and 872845 ALBERTA INC.

DOCUMENT

Monitor's Enhanced Powers Certificate

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File Number: 121159-00001

RECITALS

A. Pursuant to an Order of the Honourable Justice B. Johnston of the Court of King's Bench of Alberta (the "**Court**") dated June 29, 2026, 23612179 Limited Partnership (formerly, MTE Logistix Limited Partnership), MLG GP Ltd., 1094501 Alberta Inc. (formerly, Active Warehousing Inc.), 1705236 Alberta Inc. (formerly, Hydrive Forklift & Equipment Inc.), 754439 Alberta Inc. (formerly, MTE Logistix Calgary Inc.), 604896 Alberta Inc. (formerly, MTE Logistix Edmonton Inc.), 868195 Alberta Inc. (formerly, MTE Logistix Management Inc.), and 872845 Alberta Inc. (formerly, Porter Warehousing & Distribution Inc.) (collectively, the "**CCAA Parties**") received the benefits, protections and

authorizations of an Initial Order granted pursuant to the *Companies' Creditors Arrangement Act*. KPMG Inc. was appointed as the monitor (the "**Monitor**").

B. Pursuant to an Order of the Court dated October 19, 2026, the Court granted certain enhanced powers to the Monitor upon the filing by the Monitor of a certificate confirming that there are no remaining Management Signatories (as defined in the Initial Order) for the CCAA Parties.

THE MONITOR CERTIFIES the following:

1. There are no remaining Management Signatories for the CCAA Parties.

Dated this _____ day of _____, 202____.

KPMG Inc., in its capacity as Monitor of the CCAA Parties, and not in its personal capacity.

Per: _____
Name:
Title: