

FORM 27
[RULES 6.3 AND 10.52(1)]

CLERK'S STAMP

COURT FILE NUMBER 25-2681862
COURT COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
IN THE MATTER OF THE *BANKRUPTCY*
AND INSOLVENCY ACT, RSC 1985, C. B-3,
AS AMENDED
AND IN THE MATTER OF THE NOTICE OF
INTENTION TO MAKE A PROPOSAL OF
NEWSCO INTERNATIONAL ENERGY
SERVICES INC.

DOCUMENT **APPLICATION**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT

BENNETT JONES LLP
Barristers and Solicitors
4500, 855 – 2nd Street S.W.
Calgary, Alberta T2P 4K7

Attention: Chris Simard / Dylan Gibbs
Telephone No.: 403-298-4485 / 3449
Fax No.: 403-265-7219
Client File No.: 88912.3

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 master/judge.

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

Date: December 18, 2020
Time: 11:00 a.m.
Where: Calgary Courts Centre via Webex videoconference
Before Whom: The Honourable Mr. Justice A.D. Macleod
on the Commercial List

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. Newsco International Energy Services Inc. ("**Newsco**") seeks an Order substantially in the form attached hereto as **Schedule "A"**:
 - (a) abridging time for service of this Application and supporting materials, and deeming service thereof to be good and sufficient;
 - (b) extending the time within which Newsco must file a proposal to its creditors for an additional 45 days to February 1, 2021; and
 - (c) providing such further and other relief as this Honourable Court may deem just.

Grounds for making this application:

2. On October 20, 2020, Newsco filed a Notice of Intention to make a proposal ("**NOI**") pursuant to the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended (the "**BIA**"). The NOI appointed BDO Canada Limited as Proposal Trustee (the "**Proposal Trustee**").
3. On November 19, 2020, this Honourable Court granted an Order:
 - (a) extending the time within which Newsco must file a proposal to its creditors, to and including December 23, 2020;
 - (b) granting an Administrative Charge in the amount of \$150,000; and
 - (c) authorizing Newsco to pay certain Critical Suppliers, including for arrears pre-

Extension of Time to File a Proposal

4. Newsco is acting in good faith and with due diligence in the preparation and presentation of a Proposal to its creditors. Since filing the NOI, Newsco has worked with the Proposal Trustee diligently and in good faith with a view to presenting a proposal to its creditors. Newsco has fully cooperated with the Proposal Trustee and has diligently complied with the Proposal Trustee's requests.

5. The requested extension of time is necessary for Newsco to be able to generate a proposal to its creditors that is viable and practical from an economic standpoint.
6. No creditor will be materially prejudiced if the extension being applied for is granted.

General

7. The Proposal Trustee supports the relief sought herein.
8. Such further and other grounds as counsel may advise and this Honourable Court may permit.

Material or evidence to be relied on:

9. The Affidavit No. 2 of William Melville, sworn December 7, 2020;
10. The Second Report of the Proposal Trustee, to be filed; and
11. Such further and other evidence as counsel may advise and this Honourable Court may permit.

Applicable Rules:

12. Part 6, Division 1 of the Alberta *Rules of Court*.

Applicable Acts and Regulations:

13. The *Bankruptcy and Insolvency Act*, R.S.C 1985, c. B-3 as amended.

Any irregularity complained of or objection relied on:

14. None.

How the application is proposed to be heard or considered:

15. Before the Honourable Madam Justice C. Dario on the Commercial List via Webex videoconference.

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 give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

SCHEDULE "A"

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COURT

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ORDER

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**DATE ON WHICH ORDER WAS
PRONOUNCED:**

December 18, 2020

LOCATION OF HEARING OR TRIAL:

Calgary Courts Centre

**NAME OF MASTER/JUDGE
WHO MADE THIS ORDER:**

The Honourable Mr. Justice A.D. Macleod

UPON the application of Newsco International Energy Services Inc. ("**Newsco**"); **AND UPON** reading the Affidavit No. 2 of William L. Melville, sworn December 7, 2020; **AND UPON** reading the Second Report of the Proposal Trustee, BDO Canada Limited (the "**Proposal Trustee**"); **AND UPON** hearing counsel for Newsco, counsel for the Proposal Trustee, and counsel for other interested parties;

IT IS ORDERED AND DECLARED THAT:

Service

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.

Extension of Time to File a Proposal

2. The time within which Newsco must file a proposal to its creditors, under section 50.4 of the *Bankruptcy and Insolvency Act*, is hereby extended to February 1, 2021.

J.C.Q.B.A.