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LEGAL COUNSEL

Our File Reference: 101775

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December 9, 2019

SENT BY E-MAIL

Engelking Law  
4311 Savaryn Drive SW  
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Attention: Murray Engelking

Dear Sir:

**Re: FIC Real Estate Fund Ltd. v. Phoenix Land Ventures Ltd. ("Golfdome")  
Court of Queen's Bench of Alberta Action No.: 1003 13366**

Please find enclosed, for service upon you, a filed copy of Justice Hillier's December 6, 2019 Order.

Yours truly,

KEN FITZ  
KWF/rrw  
Encl.  
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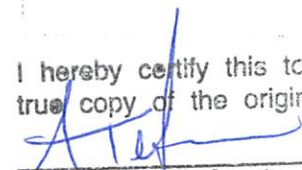
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COURT FILE NO. 1003 13366  
COURT Court of Queen's Bench of Alberta  
JUDICIAL CENTRE Edmonton

PLAINTIFF **FIC REAL ESTATE FUND LTD.**  
DEFENDANT **PHOENIX LAND VENTURES**  
DOCUMENT **ORDER**

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

  
Clerk of the Court

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
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File No.: 101775

**DATE ON WHICH ORDER WAS PRONOUNCED: December 6, 2019**

**LOCATION OF HEARING OR TRIAL: Edmonton, Alberta**

**NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Mr. Justice S.D. Hillier**

UPON THE APPLICATION of the Plaintiff; AND UPON HEARING from counsel for the Plaintiff and the Defendant; AND UPON being advised that a potential offer on the Golfdome property is imminent;

IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Paragraph 4 of the Order of the Honourable Justice S.D. Hillier filed September 13, 2019 is modified by adding the following:

"Notwithstanding the foregoing, in the event that the Defendant receives an offer of not less than \$3,700,000 for the Golfdome property on or before December 20, 2019, and upon that offer becoming unconditional on or before December 31, 2019, then the joint listing by Cushman & Wakefield Edmonton and CBRE Limited will not proceed. In the event an offer does not materialize by December 20, 2019 or that offer does not become unconditional by December 31, 2019, then the Golfdome property will be listed for sale as a joint listing between Cushman & Wakefield Edmonton and CBRE Limited at a list price of \$3,360,000

subject to the other terms and conditions of the September 13, 2019 filed Order.

In the event that the Golfdome property is the subject of an offer by December 20, 2019 and which offer becomes unconditional by December 31, 2019, but is not scheduled to close within a commercially reasonable period of time, the Plaintiff is entitled to apply to the Court to have the property listed for sale or to seek such further direction from the Court with respect to the sale as may be appropriate."

2. This Order may be approved in counterpart and by facsimile signature.



\_\_\_\_\_  
THE HONOURABLE MR. JUSTICE S.D. HILLIER OF  
THE COURT OF QUEEN'S BENCH OF ALBERTA

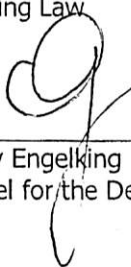
APPROVED AS TO FORM BY:

McLennan Ross LLP

*for*   
\_\_\_\_\_  
Ken Fitz  
Counsel for the Plaintiff

AND BY:

Engelking Law

  
\_\_\_\_\_  
Murray Engelking  
Counsel for the Defendant