

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER

Applicant

- and -

**CLAREPINE INDUSTRIES INC.; formerly known as STRATHCONA
RESOURCE INDUSTRIES LTD.; formerly know as the KAPS TRANSPORT
LTD.; also known as STRATHCONA RESOURCES IND.**

Respondent

MEMORANDUM OF JUDGMENT

I refer to the application made before me in Chambers on June 17, 1996 for directions to the Sheriff regarding distribution of execution proceeds held by him. I am satisfied that due notice was given to the Respondent and to the Bank of Montreal.

As the creditor Town of Hay River was claiming all of the execution proceeds, I directed the Town's solicitors to file written submissions. These have now been received and reviewed by me. I am satisfied that the Town's claim has merit.

The Sheriff is hereby directed to distribute the execution proceeds in accordance with the Amended Distribution Statement dated January 15, 1996 and attached as Exhibit F to Mr. McCluskie's affidavit sworn May 6, 1996.

A copy of this memorandum will be placed on each of Court files CV 03998, CV 03999, CV 04001 and CV 04004. The contents of this memorandum apply to all four court actions.

This memorandum shall be sufficient authority for the Sheriff to act as directed (pursuant to Rule 416(4)). No formal order need be entered.

Dated this 7th day of August, 1996

J. E. Richard

J.S.C.

To: - Michael Hansen
- Douglas McNiven
- Sheriff

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**Memorandum of Judgment of the
Honourable Mr. Justice J. E. Richard**
