

IN THE COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL DISTRICT OF CALGARY

BETWEEN:

ALBERTA TREASURY BRANCHES

Plaintiff

-and-

**PENN-TEK TRUSS & FLOOR SYSTEMS INC.,
1006495 ALBERTA LTD., ARNOLD PENNER and
DOROTHY PENNER**

Defendants

NOTICE OF MOTION

TAKE NOTICE that an application will be made on behalf of the Plaintiff before the Honourable Madam Justice B.E.C. Romaine at the Calgary Courts Centre, 601 – 5th Street SW, in the City of Calgary, in the Province of Alberta, on Friday, the 16th day of May, 2008 at 1:30 p.m. in the afternoon or so soon thereafter as counsel may be heard for the following relief:

1. An Order deeming service of the within Notice of Motion and materials in support thereof good and sufficient.
2. An order abridging the time for service of the notice of this application;
3. An Order appointing Deloitte & Touche Inc. as Receiver and Manager of all of the property, assets and undertaking of Penn-Tek Truss & Floor Systems Inc. ("Pen-Tek").
4. Such further and other relief as this Honourable Court may deem just.

AND FURTHER TAKE NOTICE THAT the grounds of this application are that:

- (a) Penn-Tek is in default of its obligations to the Plaintiff arising from the credit facilities made available to Penn-Tek by the Plaintiff;

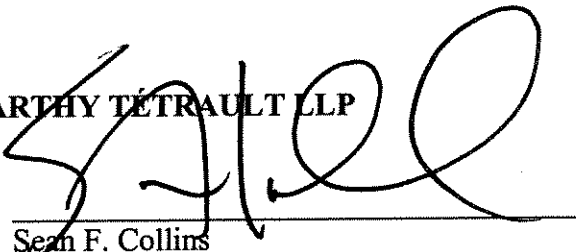
- (b) a General Security Agreement granted to the Plaintiff by Penn-Tek provides for the appointment of a Receiver and Manager of all of the assets and undertaking of Penn-Tek in the event of a default by Penn-Tek and Penn-Tek is in default of its obligations to the Plaintiff;
- (c) it is just and convenient under the circumstances of this case that a Receiver and Manager be appointed.

AND FURTHER TAKE NOTICE that in support of such application will be read the Affidavit of Aubrey Wells, filed, the consent of Deloitte & Touche Inc., filed, and such further and other material as counsel may advise, and this Honourable Court may permit.

DATED at the City of Calgary, in the Province of Alberta, this 15th day of May, 2008, **AND DELIVERED** by **McCARTHY TÉTRAULT LLP**, Barristers and Solicitors, Solicitors for the Plaintiff herein whose address for service is in care of the said Solicitors at Suite 3300, 421-7th Avenue S.W., Calgary AB T2P 4K9.

McCARTHY TÉTRAULT LLP

Per:


Sean F. Collins
Solicitor for the Plaintiff

TO: Clerk of the Court

AND TO: Warren Sinclair LLP
Attention: Donald J. Sinclair
Solicitors for the Defendants

No. 0801-05811 A.D. 2008

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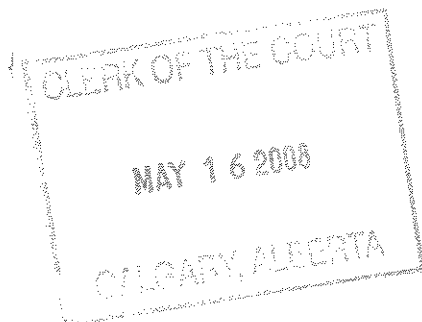
Plaintiff

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File No.: 174791-402846