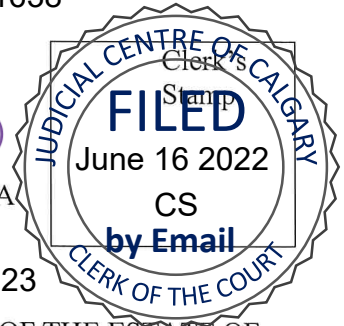


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CALGARY

COM  
June 23

IN THE MATTER OF THE RECEIVERSHIP OF THE ESTATE OF FERLYN ROBERT JOHN CHMELYK, Deceased, 1848941 ALBERTA LTD., AECOR INC., RUHANI CONSTRUCTION INC., CEREZO DEVELOPMENTS INC., 1735560 ALBERTA LTD. 1735563 ALBERTA LTD. and 1751886 ALBERTA LTD.

DOCUMENT

**SUPPLEMENTARY REPORT OF HUDSON & COMPANY INSOLVENCY TRUSTEES LTD., RECEIVER OF THE ESTATE OF FERLYN ROBERT JOHN CHMELYK, Deceased, 1848941 ALBERTA LTD., AECOR INC., RUHANI CONSTRUCTION INC., CEREZO DEVELOPMENTS INC., 1735560 ALBERTA LTD., 1735563 ALBERTA LTD. and 1751886 ALBERTA LTD.**

DATED

JUNE 15, 2022

ADDRESS FOR  
SERVICE AND  
CONTACT  
INFORMATION OF  
PARTY FILING  
THIS DOCUMENT

**Receiver's Legal Counsel**

**CARON & PARTNERS LLP**

Fifth Avenue Place – West Tower

2120, 237 – 4th Avenue, SW

Calgary, Alberta T2P 4K3

Attention: Dean Hutchison

Telephone: 403-770-4023

E-Mail: [dhutchison@caronpartners.com](mailto:dhutchison@caronpartners.com)

**Receiver**

**HUDSON & COMPANY INSOLVENCY TRUSTEES LTD.**

Suite 200, 625 – 11 Avenue SW

Calgary, Alberta T2R 0E1

Attention: Robert Price / Jeffrey Price

Telephone: 403-213-5407 / 403-850-7710

E-mail: [rprice@hudsoninc.ca](mailto:rprice@hudsoninc.ca) / [jprice@hudsoninc.ca](mailto:jprice@hudsoninc.ca)

**LIST OF APPENDICES**

- Appendix "A" E-mail Correspondence between Calla Healey and the Receiver  
Regarding Section 7 Expenses
- Appendix "B" Revised Receiver's Statement of Receipts and Disbursements with  
Revised Proposed Distributions

## **INTRODUCTION AND BACKGROUND**

1. This is a supplement (the “**Supplementary Report**”) to the Report of Hudson & Company Insolvency Trustees Inc., Receiver of the Estate of Ferlyn Robert John Chmelyk, Deceased, 1848941 Alberta Ltd. Aecor Inc., Ruhani Construction Inc., Cerezo Developments Inc., 1735560 Alberta Ltd., 1735563 Alberta Ltd., and 1751885 Alberta Ltd. dated June 7, 2022 (the “**Receiver’s Report**”). This Supplementary Report should be read in conjunction with the Receiver’s Report.
2. Defined term used in this Supplementary Report will have the same meaning as in the Receiver’s Report unless otherwise indicated.

## **REPORT RESTRICTONS AND LIMITATIONS**

3. In preparing this Supplementary Report and in making comments herein, the Receiver has been provided with, and has relied upon, certain unaudited, draft and/or internal financial information of the Chmelyk Estate and the Corporations, books and records of the Chmelyk Estate and the Corporations, and information from other third-party sources (collectively, the “**Information**”). The Receiver has not audited, reviewed or otherwise attempted to verify the accuracy or completeness of the Information in a manner that would wholly or partially comply with generally accepted assurance standards or other standards established by the Chartered Professional Accountants of Canada (the “**Standards**”). Additionally, none of the Receiver’s procedures were intended to disclose defalcations or other irregularities. If the Receiver were to perform additional procedures or to undertake an audit examination of the information in accordance with the Standards, additional matters may have come to the Receiver’s attention. Accordingly, the Receiver does not express an opinion, nor does it provide any other form of assurance on the financial or other information presented herein. The Receiver may refine or alter its observations as further information is obtained or brought to its attention after the date of this Supplementary Report.
4. The Receiver assumes no responsibility or liability for any loss of damage occasioned by any party as a result of the use of this Supplementary Report. Any use, which any party makes of this report, or any reliance or decision to be made based on this report, is the sole responsibility of such party.
5. All amounts included herein are in Canadian dollars unless otherwise stated.

## PURPOSE OF THE REPORT

6. The purpose of this Supplementary Report is to correct errors in the amount of the Healey Claim and corresponding errors in the proposed distributions stated in the R&D Statement attached as Appendix “D” to the Receiver’s Report, as well as to revise the proposed distributions as stated in the Receiver’s Report to account for such errors.
7. Due to an oversight by the Receiver in preparing the Receiver’s Report and the R&D Statement, the Receiver neglected to include additional information and amounts concerning the Healey Claim. More specifically, the Receiver neglected to include additional amounts claimed by Ms. Healey against the Chmelyk Estate for unpaid special or extraordinary child support expenses payable under section 7 of the *Federal Child Support Guidelines* pursuant to the *Divorce Act* (Canada), section 4.4 of the Separation Agreement and the Divorce Judgment (collectively, the “**Section 7 Expenses**”).
8. During the period of October 2, 2019 to January 18, 2022, the Receiver and Ms. Healey had e-mail correspondence concerning the quantum of the Healey Claim, in particular with respect to the Section 7 Expenses. The net result of such e-mail correspondence is that Ms. Healey provided documentation satisfactory to the Receiver to support that the Section 7 Expenses portion of her claim was for a higher amount, \$26,348.56, as opposed to the \$16,678.46 amount for Section 7 Expenses originally claimed, resulting in a total amount of the Healey Claim against the Chmelyk Estate to be increased to the sum of \$408,095.56. Attached hereto as **Appendix “A”** is a copy of the foregoing described e-mail correspondence together with a copy of the spreadsheet referenced therein created by the Receiver setting out its calculations for the said \$26,348.56 sum of Section 7 Expenses.
9. As set out at paragraph 22. b. of the Receiver’s Report, the Receiver is of the view that the Healey Claim is a valid preferred claim against the Chmelyk Estate for the unpaid periodic (monthly) alimony/spousal support obligations and for the unpaid periodic (monthly) child support obligations that accrued in the year before the receivership, together with the lump sum amount payable for special or extraordinary child support obligations. As a result of the revisions described above with respect to the Section 7 Expenses, the lump sum amount payable for special or extraordinary child support obligations is increased to \$26,348.56 and the total preferred portion of the Healey Claim is increased to \$59,552.56, calculated as follows:

\$24,000.00 – for periodic alimony/spousal support obligations (\$2,000 per month X 12 months)

\$ 9,240.00 – for periodic child support obligations (\$767 per month X 12 months)

\$ 26,348.56 – for lump sum special/extraordinary child support obligations

**\$59,552.26 – TOTAL PREFERRED PORTION OF HEALEY CLAIM**

10. As set out at paragraph 22.b. of the Receiver's Report, the Receiver is of the view that the balance of the Healey Claim (after deducting the preferred portion), is a valid unsecured claim against the Chmelyk Estate. As a result of the foregoing described revisions to the Healey Claim, the total amount of the Healey Claim is \$408,095.56, with the preferred portion being \$59,552.26, and the \$381,7546.70 balance, being unsecured.

**REVISED RECEIVER'S STATEMENT OF RECEIPTS AND DISBURSEMENTS WITH REVISED PROPOSED DISTRIBUTIONS**

11. As a result of the foregoing described revisions to the amount of the Healey Claim, the R&D Statement has been revised. Such revisions to the R&D Statement include additional amounts for legal fees. As of the date of this Supplemental Report, the amount of the estimated professional fees and disbursements, excluding GST, of the Receiver's legal counsel, Caron LLP, to complete all steps to conclude this receivership has increased from \$8,000 as stated in the Receiver's Report (at paragraph 36) to \$11,000.
12. Attached hereto as **Appendix "B"** is a revised R&D Statement with revisions to reflect the additional legal fees estimated, and revisions to the proposed distributions to creditors/claimants. As a result of the foregoing described revisions, the total amount available for distributions to creditors/claimants is now \$624,726.00, with the proposed amount to be distributed to Ms. Healey with respect to the Healey Claim revised to \$408,095.56. This results in the proposed distribution to Mr. Koop with respect to the Koop Claim (with such proposed distribution being the balance of the distributable funds after payment of the Mariner Mechanical Claim, the Healey Claim and the ASC Claim) being the sum of \$46,064.60.
13. As a further clarification, paragraph 32 of the Receiver's Report is hereby revised such that the Receiver proposes to make the following distributions to creditors/claimants of the Chmelyk Estate (as further set out in the revised R&D Statement attached hereto as Appendix "B"):
  - a. To Mariner Mechanical, the sum of \$6,882.31 in full satisfaction of the Mariner Mechanical Claim against 184;
  - b. To Ms. Healey, the sum of \$408,095.56 in full satisfaction of the Healey Claim against the Chmelyk Estate;
  - c. To the ASC, the sum of \$163,683.73 in full satisfaction of the ASC Claim against Chmelyk Estate; and

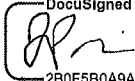
- d. To Mr. Koop, the sum of \$46,064.60, being the balance of the distributable funds after payment of all disbursements as provided in the revised R&D Statement (in the amount of \$110,810.46) and payment of the respective claims of the other creditors as set out above.

All of which is respectfully submitted this 15th day of June, 2022.

**Hudson & Company Insolvency Trustees Ltd.**

In its capacity as Receiver and Manager of Ferlyn Robert John Chmelyk, Deceased, 1848941 Alberta Ltd., Aecor Inc., Ruhani Construction Inc, Cerezo Developments Inc., 1735560 Alberta Ltd., 1735563 Alberta Ltd., and 1751885 Alberta Ltd.,  
and not in its personal or corporate capacity

DocuSigned by:



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Per: Jeffrey R. Price, CIRP  
Senior Vice President

# **APPENDIX “A”**

**From:** Robert Price <[RPrice@hudsoninc.ca](mailto:RPrice@hudsoninc.ca)>  
**Sent:** Tuesday, January 18, 2022 9:06 PM  
**To:** Calla Healey <[Calla.Healey@fluor.com](mailto:Calla.Healey@fluor.com)>  
**Subject:** [External] RE: Estate of Ferlyn Chmelyk - tax receipts

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Calla,

We confirm receipt of your response and our telephone conversation of last night. We will replace the claim for section 7 expenses with the attached schedule increasing the claim to \$26,348.56 for a total claim against the estate of Mr. Chmelyk in the amount \$408,096.56.

Robert

**From:** Calla Healey <[Calla.Healey@fluor.com](mailto:Calla.Healey@fluor.com)>  
**Sent:** Monday, January 17, 2022 11:42 AM  
**To:** Robert Price <[RPrice@hudsoninc.ca](mailto:RPrice@hudsoninc.ca)>  
**Cc:** [calla.healey@gmail.com](mailto:calla.healey@gmail.com)  
**Subject:** RE: Estate of Ferlyn Chmelyk - tax receipts

Hi Robert,

Please use the official tax receipts - **Robyn's tax receipts for 2016 and 2017 to be \$7,089.04 and Bradley's to be \$19,259.52 for 2013 to 2016 for a combined total of \$26,348.56**

It appears there was an error and some of the receipts were duplicated. Apologies for the error in calculation.

Let me know if there is any further information you require.

Thanks,  
Calla

Site Travel- LNG Canada Project | **JGC Fluor BC LNG JV** |  
[LNGC.Site.Travel@fluor.com](mailto:LNGC.Site.Travel@fluor.com) | 403-537-4100 | [www.jfvkitimat.com](http://www.jfvkitimat.com)

Site Travel hours:  
Mondays 7:00 am - 5:30 pm PST  
Tuesdays, Wednesdays 7:00 am - 6:30 pm PST  
Thursdays, Saturdays, Sundays 7:00 am - 5:30 pm PST  
Fridays 6:00 am -5:30 pm PST

**From:** Robert Price <[RPrice@hudsoninc.ca](mailto:RPrice@hudsoninc.ca)>  
**Sent:** Monday, January 17, 2022 11:10 AM  
**To:** Calla Healey <[Calla.Healey@fluor.com](mailto:Calla.Healey@fluor.com)>  
**Cc:** [calla.healey@gmail.com](mailto:calla.healey@gmail.com)  
**Subject:** [External] RE: Estate of Ferlyn Chmelyk - tax receipts

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Calla,

As the email "out of office" suggests Robert Price has retired. However, he is working with Hudson & Company Insolvency Trustees Inc. to complete some of the administrations he has been involved in, one of which is the estate of your former spouse, Ferlyn Chmelyk.

We have reviewed the receipts provided with your email of January 30, 2020. We are uncertain if this should be added to the claim of Section 7 expenses or if it should replace the section 7 claim. In addition, it appears that in Robyn's case tuition is being claimed twice as there is the official income tax receipt for 2016 fall of \$2,615.17 and then register receipts for the amounts of \$2,296.61 and \$447.99 documented in part to be 2016 tuition. We have prepared a spreadsheet that totals Robyn's tax receipts for 2016 and 2017 to be \$7,089.04 and Bradley's to be \$19,259.52 for 2013 to 2016 for a combined total of \$26,348.56. We have attached our spreadsheet of the calculation on tab 2 of the attached spreadsheet.

Please confirm if this is the amount that should be used as the section 7 expenses in the claim against the estate of Mr. Chmelyk or if you have other amounts that should be included.

Regards,

Robert Price

**From:** [Calla.Healey@fluor.com](mailto:Calla.Healey@fluor.com) <[Calla.Healey@fluor.com](mailto:Calla.Healey@fluor.com)>

**Sent:** Thursday, January 30, 2020 11:54 AM

**To:** Robert Price <[RPrice@hudsoninc.ca](mailto:RPrice@hudsoninc.ca)>

**Cc:** [calla.healey@gmail.com](mailto:calla.healey@gmail.com)

**Subject:** Estate of Ferlyn Chmelyk - tax receipts

Hello Robert,

Attached you will find tuition receipts for Bradley Dore and Robyn Chmelyk for their schooling from 2013 - 2017.

Please let me know if this is sufficient documentation for the receipt detail you are looking for for my claim.

Can you also email me to confirm that you have received these documents.

Thank-you  
Calla Healey  
403-681-2734

----- Forwarded message -----

From: **Robert Price** <[RPrice@hudsoninc.ca](mailto:RPrice@hudsoninc.ca)>

Date: Wed., Oct. 2, 2019, 12:52 p.m.

Subject: Estate of Ferlyn Chmelyk

To: Calla Healey <[calla.healey@gmail.com](mailto:calla.healey@gmail.com)>

Good afternoon,

We have reviewed the materials provided to us.

We attach a spreadsheet wherein we provide our calculation of the claim provided to us. We have accepted the Section 7 calculation without any support for the calculation. We ask that you provide details of the calculation for us to confirm.

We have used 12 years for the period from April 1, 2013 to March 31, 2025. It appears Mr. Bruce used 13 years.

We have used 56 months of child maintenance for Bradley as that is the amount provided in the Separation Agreement provided to us. It appears Mr. Bruce suggested there should be amounts for the other two children of the marriage. We have not included those amounts as they were not included in the Separation Agreement.

Please review the comments and the attachment and let us know if you agree with the amounts calculated by the receiver.

In addition we would have expected an order to be delivered by the court from the Affidavit you provided in support of an application for Retroactive Child Support. Please provide a copy of the order if one was granted.

**Robert E. Price, CPA, CMA, CIRP, LIT**

Senior Vice President

**hudson&company**

INSOLVENCY TRUSTEES INC.

Licensed Insolvency Trustees

200, 625 - 11th Avenue SW Calgary, Alberta T2R 0E1

Tel: (403) 213-5407 Fax: (403) 234-8770

[rprice@hudsoninc.ca](mailto:rprice@hudsoninc.ca) [www.hudsoninc.ca](http://www.hudsoninc.ca)

[attachment "image001.png" deleted by Calla Healey/CA/Contr/FluorCorp] [attachment "image002.png" deleted by Calla Healey/CA/Contr/FluorCorp] [attachment "image003.png" deleted by Calla Healey/CA/Contr/FluorCorp] [attachment "image004.png" deleted by Calla Healey/CA/Contr/FluorCorp] [attachment "image004.png" deleted by Calla Healey/CA/Contr/FluorCorp] [attachment "Receiver's calculation of Retroactive Child Maintenance and Spousal Support.xlsx" deleted by Calla Healey/CA/Contr/FluorCorp]

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Estate of Ferlyn Chmelyk  
Claim of Calla Jane Healey  
Calculated from Separation Agreement  
Section 7 Expenses

	Robyn	Bradley	Combined
2013		4,038.38	4,038.38
2014		6,151.64	6,151.64
2015		6,519.10	6,519.10
2016	2,615.17	2,550.40	5,165.57
2017	4,473.87		4,473.87
	7,089.04	19,259.52	26,348.56
2016 Fall	2296.61	duplicate of 2016	
2016 Fall	447.99	duplicate of 2016	

# **APPENDIX “B”**

**IN THE MATTER OF THE RECEIVERSHIP  
OF FERLYN ROBERT JOHN CHMELYK, Deceased, 1848941  
ALBERTA LTD., AECOR INC., RUHANI CONSTRUCTION INC.,  
CEREZO DEVELOPMENTS INC., 1735560 ALBERTA LTD.  
1735563 ALBERTA LTD. and 1751886 ALBERTA LTD.**

**Revised Consolidated Statement of  
Receipts and Disbursements  
February 8, 2018 to May 30, 2022**

**Receipts**

Sale of Land	\$ 603,302.89
Settlement on Commission	100,199.01
Funds From Death Estate	25,803.62
Interest Earned on Trust Funds	6,231.14

**Total Receipts**

735,536.66

**Disbursements**

Receiver Fees	55,633.00
Legal Fees	47,109.75
Ascend License Fee ( 8 Estates )	2,200.00
GST paid on Fees and Disbursements	5,244.71
Filing Fees Official Receiver ( 8 Estates )	560.00
Search Fees	63.00

**Total Disbursements**

110,810.46

**Available for Distribution**

\$ 624,726.20

**IN THE MATTER OF THE RECEIVERSHIP  
OF FERLYN ROBERT JOHN CHMELYK, Deceased, 1848941  
ALBERTA LTD., AECOR INC., REHANI CONSTRUCTION INC.,  
CEREZO DEVELOPMENTS INC., 1735560 ALBERTA LTD.  
1735563 ALBERTA LTD. and 1751886 ALBERTA LTD.**

**Proposed Distribution (Revised June 15, 2022)**

Claimant Name	Amount Claimed	Amount Proposed	Balance Remaining
Amount to be Distributed			\$ 624,726.20
Mariner Mechanical Claim	6,882.31	6,882.31	617,843.89
Calla Healey	408,095.56	408,095.56	209,748.33
Alberta Security Commission	163,683.73	163,683.73	46,064.60
Gordon Koop	1,716,502.00	46,064.60	0.00
Total	<u>\$ 2,295,163.60</u>	<u>\$ 624,726.20</u>	<u>\$0.00</u>