

COURT FILE NUMBER	2010000319
COURT	COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL CENTRE	RED DEER
PLAINTIFF	KEVIN BUDD, by his Litigation Representative, SUSAN BUDD
DEFENDANTS	AIR SPRAY (1967) LTD., and ARROW LIMOUSINE & SEDAN SERVICES LTD.
DOCUMENT	<b>FORMAL OFFER</b>
PARTY FILING THIS DOCUMENT	KEVIN BUDD, by his Litigation Representative, SUSAN BUDD
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	DD West LLP Susan G. Lawson 2300, 520 5 <sup>th</sup> Avenue SW Calgary, AB T2P 3R7 Phone: 403-245-0111 Fax: 403-245-0115 File No. 131663-0001

**NOTICE TO PARTY RECEIVING OFFER**

You have received a formal offer to settle.

Go to the end of this document to see what the consequences are if you fail to accept this offer.

**Party making the offer:**

1. KEVIN BUDD, by his litigation representative, SUSAN BUDD, Plaintiff.

**To whom the offer is made:**

2. AIR SPRAY (1967) LTD. and ARROW LIMOUSINE & SEDAN SERVICES LTD,  
Defendants.

**What the offer is:**

3. The Plaintiff, KEVIN BUDD, by his litigation representative, SUSAN BUDD will  
discontinue the claim upon payment of \$318,338.00.

**Conditions attached to the offer:**

4. None

**Interest:**

- (a) is included in the offer;

**Costs:**

- (a) are included in the offer;

**Requirements that must be complied with to accept the offer:**

5. None

**Form of acceptance of the offer:**

6. By filing this Offer and the Acceptance of the Counteroffer; and serving notice on the Plaintiff, KEVIN BUDD, by his Litigation Representative, SUSAN BUDD that the Offer has been accepted.

**Expiry date of this Counteroffer:**

7. Two months from the date of service.

**WARNING**

If this formal counteroffer of the plaintiff is not accepted and a judgment or order in the action is made that it equal to or more favourable to the plaintiff than this formal counteroffer, the plaintiff is entitled to costs for all steps taken in the action in relation to the action or the claim specified in this formal counteroffer, after service of this formal counteroffer. If the plaintiff's formal counteroffer is not accepted and the claim or claims that are the subject-matter of this formal offer are dismissed, the plaintiff is entitled to double the costs mentioned in the last sentence, excluding disbursements.

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PLAINTIFF	KEVIN BUDD, by his Litigation Representative, SUSAN BUDD
DEFENDANTS	AIR SPRAY (1967) LTD., and ARROW LIMOUSINE & SEDAN SERVICES LTD.
DOCUMENT	<b>ACCEPTANCE OF FORMAL OFFER</b>
PARTY FILING THIS DOCUMENT	AIR SPRAY (1967) LTD.,
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	DD West LLP Susan G. Lawson 2300, 520 5 <sup>th</sup> Avenue SW Calgary, AB T2P 3R7 Phone: 403-245-0111 Fax: 403-245-0115 File No. 131663-0001

I, A.D. (Tom) Schmit, Barrister & Solicitor, of CBM Lawyers, Counsel for the Defendant, AIR SPRAY (1967) LTD. hereby confirm that the Defendant AIR SPRAY (1967) LTD accepts this Formal Offer, a filed copy of which is attached.

DATED this \_\_\_\_\_ day of \_\_\_\_\_,

CBM Lawyers

Per:

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A.D. (Tom) Schmit, Counsel for the Defendant  
Air Spray (1967) Ltd.

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DEFENDANTS	AIR SPRAY (1967) LTD., and ARROW LIMOUSINE & SEDAN SERVICES LTD.
DOCUMENT	<b>ACCEPTANCE OF FORMAL OFFER</b>
PARTY FILING THIS DOCUMENT	ARROW LIMOUSINE & SEDAN SERVICES LTD.
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	DD West LLP Susan G. Lawson 2300, 520 5 <sup>th</sup> Avenue SW Calgary, AB T2P 3R7 Phone: 403-245-0111 Fax: 403-245-0115 File No. 131663-0001

I, Kelly le Vann, Barrister & Solicitor, of Johnston Ming Manning LLP, Counsel for the Defendant, ARROW LIMOUSINE & SEDAN SERVICES LTD. hereby confirm that the Defendant accepts the formal offer, a filed copy of which is attached.

DATED this \_\_\_\_\_ day of \_\_\_\_\_,

Johnston Ming Manning LLP

Per:

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Kelly le Vann, Counsel for the Defendant  
Arrow Limousine & Sedan Services Ltd.