



NO. S-235306
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

NATIONAL BANK OF CANADA

PETITIONER

AND:

1239583 B.C. LTD.

RESPONDENT

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE

Justice Morley

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TUESDAY, THE 24TH DAY OF
OCTOBER, 2023

ON THE APPLICATION of FTI Consulting, Inc. ("FTI") in its capacity as the court-appointed receiver and receiver-manager (the "Receiver") of 1239583 B.C. Ltd. (the "Debtor"), coming on for hearing this day at 800 Smithe Street, Vancouver, British Columbia.

AND ON READING First Report of the Receiver, dated October 10, 2023, the Affidavit #1 of Erin Welte made July 24, 2023, AND ON HEARING Ashley Bowron, counsel for the Receiver, and no one else appearing.

THIS COURT ORDERS AND DECLARES that:

ASSIGNMENT IN BANKRUPTCY

1. The Receiver is hereby authorized and directed to file an assignment in bankruptcy on behalf of the Debtor, pursuant to Section 49 of the *Bankruptcy and Insolvency Act*, RSC, 1985, c B-3 (the "BIA").
2. In conjunction with the Debtor's assignment in bankruptcy, FTI is hereby authorized to act as the trustee in bankruptcy (the "Trustee") of the Debtor in accordance with the provisions of the BIA.

MISCELLANEOUS

3. Nothing in this Order shall prevent or limit the Receiver from exercising its powers and duties as Receiver.
4. The costs of and incidental to this Application are to be paid to the Receiver out of the assets of the Debtor's estate.
5. Service of this Order shall be deemed good and sufficient by posting a copy of this Order to the Receiver's website and delivery to the service list, each maintained in accordance with the order pronounced in these proceedings on September 8, 2023 by the Honourable Justice Francis.
6. Endorsement of this Order by counsel appearing on this application other than the Petitioner is dispensed with.

THE FOLLOWING PARTIES APPROVE OF THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Lawyer for FTI Consulting, Inc.
McCarthy Tétraut LLP
(H. Lance Williams and Ashley Bowron)

BY THE COURT



DISTRICT REGISTRAR

