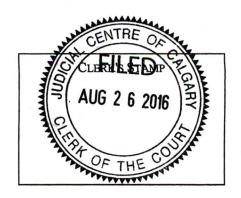
i hereby certify this to be a true copy of

order the original\_

Dated this 26 day of A



COURT FILE NUMBER

1601-06765

**COURT** 

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

**CALGARY** 

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985,

c. C-36, as amended

AND IN THE MATTER OF ENDURANCE

ENERGY LTD.

**DOCUMENT** 

STAY EXTENSION ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS **DOCUMENT** 

Thornton Grout Finnigan LLP 100 Wellington Street West, Suite 3200 Toronto, Ontario M5K 1K7 CANADA

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(416) 304-1313

Attention: Robert I. Thornton / Leanne Williams / Rachel Bengino

Client File No: 1751-001

DATE ON WHICH ORDER WAS PRONOUNCED: August 26, 2016

LOCATION OF HEARING OR TRIAL: Calgary Courts Centre

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Mr. Justice R.A. Graesser

UPON THE APPLICATION of Endurance Energy Ltd. ("Endurance") filed August 19. 2016 (the "Application"); AND UPON reading the pleadings and proceedings filed herein; AND UPON being advised that:

- (a) on August 18, 2016, Key Pile Camp (2008) Ltd. ("Key Pile") filed a Notice of Civil Claim in Action No. 23310 in the Supreme Court of British Columbia, Fort St. John Registry, as against Clair Donaghy, an employee of the Applicant (the "Action");
- (b) counsel for Key Pile has given an undertaking that Key Pile will take no steps in the Action until after September 30, 2016 (including but not limited to requesting or requiring a Response to Civil Claim ("Response") to the Action) and will thereafter provide reasonable notice if a Response is required;
- (c) the granting of this Order is without prejudice to all of the parties' claims, defences and arguments in the Action;
- (d) on August 17, 2016, Endurance requested that the Amended and Restated DIP Facility Loan Agreement (the "DIP Loan Agreement") be amended such that the "Maturity Date" (as defined in the DIP Loan Agreement) be extended until September 30, 2016; and
- (e) as the parties to the DIP Loan Agreement have not yet agreed as to the terms of the extension, the granting of this Order is without prejudice to all of the claims, rights, remedies, recourses and arguments of WP Private Equity XI Inc. in connection with the DIP Loan Agreement and these CCAA proceedings generally.

AND UPON hearing the submissions of counsel for Endurance, and the other parties present;

## IT IS HEREBY ORDERED AND DECLARED THAT:

## **SERVICE**

Service of the Notice of Application for this Order is hereby validated and deemed good and sufficient, this application is properly returnable today, and no person other than those persons served is entitled to service of the Notice of Application.

## STAY EXTENSION

2.

The Stay Period as ordered and defined in paragraph 13 of the Initial Order, as amended, is hereby extended until and including September 30, 2016.

## REQUEST TO EXTEND THE STAY OF PROCEEDINGS AGAINST THE APPLICANT'S EMPLOYEES

That portion of the Application dealing with the extension of the Stay of Proceedings granted in the Initial Order to proceedings commenced or continued against or in respect of any of the former, current or future employees of the Applicant, is hereby adjourned sine die.

S.C.Q.B.A. or Clerk of the Court

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