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COURT FILE NUMBER

2001-05482

COURT

COURT OF QUEEN'S BENCH OF ALBERT

JUDICIAL CENTRE

**CALGARY** 

I hereby certify this to the original Dated this

DOCUMENT

THE MATTER OF THE COMPANIES' ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF 2324159 ALBERTA INC.

ORDER (ACTION APPROVAL, STAY EXTENSION, AND SEALING)

ADDRESS FOR SERVICE

AND CONTACT

INFORMATION OF PARTY

FILING THIS DOCUMENT

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DATE ON WHICH ORDER WAS PRONOUNCED:

September 2, 2021

LOCATION OF HEARING:

Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER:

Justice K.M. Eidsvik

**UPON** the application (the "Application") of FTI Consulting Canada Inc. (the "Monitor"), in its capacity as the court-appointed monitor of 2324159 Alberta Inc. ("ResidualCo") pursuant to the Initial Order granted under the Companies' Creditors Afrangement Act (Canada) (the "CCAA") on May 1, 2020, as subsequently amended and restated on May 11, 2020 (collectively, the "ARIO") and the Amended Reverse Vesting Order, granted on March 31, 2021 (the "Amended RVO"), all in the within proceedings (the "CCAA Proceedings"); AND UPON reading the Eighteenth Report of the Monitor, dated August 16, 2021 (the "Eighteenth Monitor's Report"), filed; AND UPON reading Confidential Appendix "A" to the Eighteenth Monitor's Report (the "Confidential Appendix"), unfiled, and all other reports and confidential appendices submitted by the Monitor in these CCAA Proceedings; AND UPON reading the Affidavit of Service of Katie Doran, sworn on August 31, 2021 (the "Service Affidavit"), filed; AND UPON hearing counsel for the Monitor and for any other parties who may be present;

#### IT IS HEREBY ORDERED AND DECLARED THAT:

### **SERVICE**

The time for service of the Application and the Eighteenth Monitor's Report is abridged, the Application is properly returnable today, service of the Application and the Eighteenth Monitor's Report on the service list (the "Service List"), attached as an exhibit to the Service Affidavit, in the manner described in the Service Affidavit, is good and sufficient, and no other persons other than those listed on the Service List are entitled to service of the Application or the Eighteenth Monitor's Report.

## **STAY EXTENSION**

2. The Stay Period, as ordered and defined in paragraph 13 of the ARIO, is hereby extended up to, until, and including December 3, 2021.

## **MONITOR'S ACTIVITIES**

3. All actions and activities of the Monitor, as reported in the reports of the Monitor filed in these CCAA Proceedings and all appendices thereto, be and are hereby approved, and all such activities and conduct of the Monitor prior to the date hereof in relation to these CCAA Proceedings are hereby ratified and approved.

#### **SEALING**

4. Part 6, Division 4 of the *Alberta Rules of Court* does not apply to the Application and the Clerk of the Court is hereby directed to seal the Confidential Appendix, on the Court file, until the termination of the CCAA Proceedings. The Confidential Appendix shall be sealed and filed in an envelope containing the following endorsement thereon:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED IN COURT FILE NO. 2001-05482. THE CONFIDENTIAL MATERIALS ARE SEALED PURSUANT TO THE ORDER (ACTION APPROVAL, STAY EXTENSION, AND SEALING) GRANTED BY THE HONOURABLE MADAM JUSTICE K.M. EIDSVIK ON SEPTEMBER 2, 2021.

5. Any person may apply, on reasonable notice to the Monitor, ResidualCo, and any other persons likely to be affected, to vary or amend the terms of paragraph 4 of this Order.

6. The Confidential Appendix shall also be uploaded to the online CaseLines filesite established by the Monitor, in connection with the within proceedings, in a case file that may only be accessed by the presiding Justices of the Court of Queen's Bench and any parties who are subsequently authorized to access materials under and pursuant to the sealing provisions of this Order.

# **MISCELLANEOUS MATTERS**

- 7. Service of this Order shall be deemed good and sufficient by:
  - (a) Serving same on:
    - (i) the persons listed on the Service List created in these CCAA Proceedings;
    - (ii) any other person served with notice of the Application for this Order;
    - (iii) any other parties attending or represented at the Application for this Order; and,
  - (b) posting a copy of this Order on the Monitor's website at http://cfcanada.fticonsulting.com/jmb/

and service on any other person is hereby dispensed with.

8. Service of this Order shall be deemed good and sufficient by serving same in accordance with the procedures in the CaseLines Service Order, granted on May 29, 2020.

Justice of the Court of Queen's Bench of Alberta