



COURT FILE NUMBER 2001-05630

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

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

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF DOMINION DIAMOND MINES ULC, DOMINION DIAMOND DELAWARE COMPANY LLC, DOMINION DIAMOND CANADA ULC, WASHINGTON DIAMOND INVESTMENTS, LLC, DOMINION DIAMOND HOLDINGS, LLC, DOMINION FINCO INC., and DOMINION DIAMOND MARKETING CORPORATION

DOCUMENT **ORDER (STAY EXTENSION AND AMENDMENT OF ADMINISTRATION CHARGE)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **BENNETT JONES LLP**  
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**DATE ON WHICH ORDER WAS PRONOUNCED:** THURSDAY, MARCH 4, 2021

**LOCATION OF HEARING OR TRIAL:** CALGARY COURTS CENTRE

**NAME OF JUDGE WHO MADE THIS ORDER:** THE HONOURABLE MADAM JUSTICE K. M. EIDSVIK

UPON THE APPLICATION OF FTI Consulting Canada Inc. in its capacity as the Court-appointed monitor (the "**Monitor**") in these proceedings (the "**CCAA Proceedings**") pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985 c C-36, as amended (the "**CCAA**"); AND UPON reading the Fourteenth Report of the Monitor dated February 22, 2021, filed (the "**Fourteenth Report**"); AND UPON reading Confidential Appendix "B" to the Fourteenth Report; AND UPON hearing counsel for the Monitor and other counsel present;

IT IS ORDERED AND DECLARED THAT:

**SERVICE**

1. Service of notice of the application for this Order, the Brief in support thereof, and the Fourteenth Report is hereby abridged and deemed good and sufficient, no other person is required to have been served with notice of this application, and this application is properly returnable today.

**EXTENSION OF STAY PERIOD**

2. The Stay Period (as defined in the Second Amended and Restated Initial Order of this Court dated June 19, 2020 ("**SARIO**")) is hereby extended until and including September 17, 2021.

**AMENDMENT OF ADMINISTRATION CHARGE**

3. Paragraph 30 of the SARIO is amended to reduce the amount of the Administration Charge to an aggregate amount not to exceed \$500,000.
4. The Monitor will advise Diavik Diamond Mines (2012), Inc. and Credit Suisse AG, Cayman Islands Branch as agent for the first lien secured lenders pursuant to the Revolving Credit Agreement dated as of November 1, 2017, as amended, restated or supplemented from time to time (the "**1L Lenders**") when 75% of the funds held in the Diavik Realization Account and the Wind-Down Account have been spent.
5. The Monitor and its legal counsel shall not have recourse to the Administration Charge unless and until all funds held in the Diavik Realization Account and the Wind-Down Account have been spent.



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Justice of the Court of Queen's Bench of Alberta