

Clerk's Stamp

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,
AND DOMINION FINCO INC.

DOCUMENT **ORDER (Sealing)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
McCarthy Tétrault LLP
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Calgary, AB T2P 4K9
Attention: Sean Collins / Walker W. MacLeod / Pantelis Kyriakakis
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DATE ON WHICH ORDER WAS PRONOUNCED: June 19, 2020
NAME OF JUDGE WHO MADE THIS ORDER: Justice K.M. Eidsvik
LOCATION OF HEARING: Calgary, Alberta

UPON the application (the "**Application**") of Diavik Diamond Mines (2012) Inc. ("**DDMI**"); **AND UPON** having read the Affidavit #3 of Thomas Croese, sworn on June 16, 2020 (the "**Croese Affidavit**"), filed; **AND UPON** having read the Confidential Exhibit "1" to the Croese Affidavit (the "**Confidential Exhibit**"), unfiled; **AND UPON** having read the Affidavit of Service of Katie Doran (the "**Service Affidavit**"), to be filed; **AND UPON** hearing counsel for DDMI and any other counsel present;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The time for service of the Application and the Croese Affidavit is abridged, the Application is properly returnable today, service of the Application and the Croese Affidavit on the service list, in the manner described in the Service Affidavit, is good and sufficient, and no other persons, other than those listed on the service list (the "**Service List**"), are entitled to service of the Application or the Croese Affidavit.
2. Any and all capitalized terms used herein and not otherwise defined shall have the meaning ascribed to such terms in the Croese Affidavit.
3. 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 Exhibit, on the Court file until five years following the completion of the within proceedings. The Confidential Exhibit shall be sealed and filed in an envelope containing the following endorsement thereon:

THIS ENVELOPE CONTAINS THE CONFIDENTIAL EXHIBIT "1"
TO THE AFFIDAVIT #3 OF THOMAS CROESE, SWORN ON
JUNE 16, 2020. THE CONFIDENTIAL EXHIBIT "1" TO THE
AFFIDAVIT #3 OF THOMAS CROESE, SWORN ON JUNE 16,
2020 IS SEALED PURSUANT TO AN ORDER ISSUED BY THE
HONOURABLE JUSTICE K.M. EIDSVIK, DATED JUNE 19, 2020,
AND IS NOT TO BE PLACED ON THE PUBLIC RECORD OR
MADE PUBLICALLY ACCESSIBLE.

4. Any persons may apply, on reasonable notice to DDMI and any other persons likely to be affected, to vary or amend the terms of paragraph 3 of this Order.
5. The Confidential Exhibit is to also be uploaded to the online filesite established by the Monitor (the "**CaseLines Filesite**") in a case file that may only be accessed by the presiding Justices of the Court of Queen's Bench and the parties who are authorized to access materials filed under and pursuant to sealing orders in these proceedings.

6. Service of this Order shall be deemed good and sufficient by:

(a) Serving the same on:

- (i) the persons listed on the Service List created in these 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 service on any other person is hereby dispensed with.

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



J.C.C.Q.B.A.