



COURT FILE NUMBER 2301-03179
 COURT COURT OF KING'S BENCH OF ALBERTA
 JUDICIAL CENTRE CALGARY

PROCEEDING IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, RSC 1985, c C-36, as amended

C100775

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
 ARRANGEMENT OF DYNAMIC ATTRACTIONS INC. and
 2524604 ALBERTA LTD.

DOCUMENT **APPLICATION (EXTENSION OF STAY AND CONDITIONAL
 DISCHARGE OF MONITOR)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

Burnet, Duckworth & Palmer LLP
 2400, 525 - 8 Avenue SW
 Calgary, Alberta T2P 1G1
 Lawyer: David LeGeyt / Ryan Algar
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 File no.: 75459-2

NOTICE TO RESPONDENT: See Service List attached as Schedule "A" to this Application

This application is made against you. You are a Respondent.

You have the right to state your side of the matter before a master/judge.

The application will be heard as shown below:

DATE: October 13, 2023

TIME: 11:00 a.m.

WHERE: Calgary Courts Centre – VIA WEBEX

BEFORE WHOM: The Honourable Justice R. Neufeld

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. FTI Consulting Canada Inc., in its capacity as court appointed monitor (the "**Monitor**") of Dynamic Attractions Inc. and 2524604 Alberta Ltd. (collectively the "**Debtors**") respectfully seeks an Order substantially in the form attached as **Schedule "A"** ("**CCAA Termination Order**"):
 - (a) declaring that the time for service of this Application and supporting materials is valid, that the time therefore be abridged to the time actually given, that this Application is properly returnable today, and that further service of the Application is dispensed with;
 - (b) extending the stay of proceedings herein to January 31, 2024;
 - (c) approving the activities, conduct, fees and disbursements of the Monitor in accordance with the provisions of the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36 (the "**CCAA**") from the period of March 9, 2023 to the filing of the Termination Certificate;
 - (d) approving the activities, conduct, fees and disbursements of Burnet, Duckworth & Palmer LLP, in its capacity as counsel to the Monitor from the period of March 9, 2023 to the filing of the Termination Certificate;
 - (e) discharging the Monitor in its capacity as Monitor of the Debtors, save and except for certain duties and obligations set out in CCAA Termination Order, with such discharge to become effective upon the Monitor filing a certificate substantially in the form attached as Schedule "A" to CCAA Termination Order (the "**Termination Certificate**");
 - (f) terminating these CCAA proceedings upon the Monitor filing Termination Certificate; and
 - (g) such further and other relief as may be sought by the Monitor and this Honourable Court may deem appropriate.

Grounds for making this Application:

2. On March 9, 2023 Dynamic Attractions Inc. and a group of related companies were granted an initial order under the CCAA.
3. The Debtors have acted in good faith and with due diligence, no creditor would be prejudiced by the extension of the stay of proceedings, and there is no good reason not to extend the stay of proceedings herein so that the Monitor can finalize and complete this administration.
4. On June 23, 2023, this Honourable Court granted a Reverse Vesting Order and Sale Approval and Vesting Order which (i) restructured a number of entities related to the Debtors, and (ii) caused those other entities to exit these proceedings.
5. Pursuant to the Reverse Vesting Order and the Sale Approval and vesting Order, (i) only the Debtors remain subject to these CCAA proceedings, (ii) the Monitor is empowered generally with respect to the Debtors and these proceedings, and (iii) the Monitor is specifically tasked with taking all steps necessary or desirable to finalize and complete the administration of the proceedings.
6. The primary remaining task of the Monitor is administrating and processing the WEPP claims of numerous employees who lost their employment as a result of these proceedings, which task

remains incomplete due to delays on the part of the federal government in processing these WEPP claims.

7. The Monitor ought to be discharged now subject to completing all outstanding tasks and filing the Termination Certificate.

Approval of the Actions of the Monitor and the Approval of Fees

8. The Reports of the Monitor filed in these proceedings set out the activities and conduct of the Monitor as described therein.
9. Pursuant to the initial order in these proceedings, the Monitor and its legal counsel are required to pass their accounts from time to time. A summary of the Monitor's and its legal counsel's accounts and their estimated professional fees to conclude these proceedings is appended to the Sixth Report of the Monitor.

Discharge of the Monitor and Termination of the CCAA Proceedings

10. Upon the Monitor completing all steps required to complete the CCAA proceedings (as evidenced by the Monitor filing the Discharge Certificate), it is appropriate that the Monitor be discharged and released from any claims and that these CCAA proceedings be terminated.

Material or evidence to be relied on:

11. All pleadings and proceedings filed in the within action, including the Pre-filing Report of the Proposed Monitor, the First Report of the Monitor, the Second Report of the Monitor, the Third Report of the Monitor, the Fourth Report of the Monitor, the Fifth Report of the Monitor, all filed and the Sixth Report of the Monitor, to be filed.
12. The proposed form of Order.
13. The inherent jurisdiction of this Honourable Court to control its own process.
14. Such further and other material and evidence as counsel may advise and this Honourable Court may permit.

Applicable rules:

15. Rules 1.3, 6.3(1), 6.29, 6.47(e) and (f), 6.9(1)(a), 11.27, 11.29, 13.5, and such further and other Rules as counsel may advise and that this Honourable Court may permit.

Applicable Acts and regulations:

16. The CCAA, as amended, and such other Rules, Acts and Regulations as counsel may advise and that this Honourable Court may permit.

Any irregularity complained of or objection relied on:

17. None.

How the Application is proposed to be heard or considered:

18. Before Justice R. Neufeld on the Commercial List, via Webex.

AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the Applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this Application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the Application is heard or considered, you must reply by giving reasonable notice of the materials to the Applicant.

SCHEDULE "A"

Draft Order (Extending Stay and Conditional Discharge of Monitor)

See Attached

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JUDICIAL CENTRE CALGARY

IN IN THE MATTER OF THE *COMPANIES' CREDITORS
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AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF DYNAMIC ATTRACTIONS INC. and 2524604
ALBERTA LTD.

DOCUMENT **ORDER (Extension of Stay and Conditional Discharge of Monitor)**

ADDRESS FOR SERVICE **Burnet, Duckworth & Palmer LLP**
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INFORMATION OF PARTY Calgary, Alberta T2P 1G1
FILING THIS DOCUMENT Lawyer: David LeGeyt / Ryan Algar
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Email address: dlegeyt@bdplaw.com / ralgar@bdplaw.com
File no.: 75459-2

DATE ON WHICH ORDER WAS PRONOUNCED: October 13, 2023
LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta
NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice R. Neufeld

UPON the application (the "**Application**") of FTI Consulting Canada Inc. (the "**Monitor**"), in its capacity as court appointed Monitor of Dynamic Attractions Inc. and 2524604 Alberta Ltd.;

AND UPON having read the Application and the Sixth Report of the Monitor dated October 6, 2023 (the "**Sixth Report**"); **AND UPON** hearing from counsel for the Monitor and any other parties present;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Capitalized terms not otherwise defined in this Order have the meaning set forth in the Sixth Report.

Service

2. Service of the Application and Sixth Report is hereby validated and deemed good and sufficient, the time therefore is abridged to the time actually given, the Application is properly returnable today, and no person other than those persons served is entitled to service of the of the Application.

Extension of the Stay

3. The Stay Period (as defined in the ARIO) is extended until January 31, 2024.

Approval of Conduct and Fees

4. The actions, conduct, and activities of the Monitor and Burnet, Duckworth & Palmer LLP ("**BD&P**"), in its capacity as counsel to the Monitor, all as set forth in the Reports of the Monitor filed in these proceedings, are hereby approved.

5. The fees and disbursements of the Monitor for the period of March 9, 2023 to the filing of the Termination Certificate, as further detailed in the Reports of the Monitor filed in these proceedings, are hereby approved.

6. The fees and disbursements of BD&P, in its capacity as counsel to the Monitor for the period of March 9, 2023 to the filing of the Termination Certificate, as further detailed in the Reports of the Monitor filed in these proceedings, are hereby approved.

Discharge of The Monitor and Termination of CCAA Proceedings

7. Upon the Monitor filing with the Clerk of the Court a certificate in the form attached hereto as **Schedule "A"** (the "**Termination Certificate**") evidencing that all steps required to complete these CCAA proceedings have been completed:

- (a) the Monitor will have satisfied all of its duties and obligations pursuant to the CCAA and the Orders of the Court in respect of these CCAA proceedings save and except as set out in paragraph 10 hereof;
- (b) FTI Consulting Canada Inc. shall be discharged as Monitor of the Debtors and shall have no further duties, obligations or responsibilities as Monitor from and after such time, save and except as set out in paragraph 10 hereof;
- (c) these CCAA proceedings will be deemed terminated without further Order of this Court;

- (d) the Monitor and its respective affiliates and officers, directors, partners, employees and agents (collectively the "**Released Parties**") shall be released and discharged from any and all claims that any person may have or be entitled to assert against the Released Parties, whether known or unknown, matured or unmatured, foreseen or unforeseen, existing or hereafter arising, based in whole or in part on any act or omission, transaction, dealing or other occurrence existing or taking place on or prior to the date of this Order in any way relating to, arising out of, or in respect of the CCAA proceedings, or with respect to its conduct in the CCAA proceedings (collectively, the "**Released Claims**"), and any such Released Claims are hereby released, stayed, extinguished and further barred and the Released Parties shall have no liability in respect thereof, provided that the Released Claims shall not include any claim or liability arising out of any gross negligence or willful misconduct on the part of the Released Parties; and
- (e) no action or other proceedings shall be commenced against any of the Released Parties in any way arising from or related to the CCAA proceedings, except with prior leave of this Court on at least seven days' prior written notice to the Released Parties.

8. The Monitor shall deliver a filed copy of the Monitor's Termination Certificate to the service list maintained in the CCAA proceedings.

9. Notwithstanding any provision of this Order and termination of the CCAA proceedings, nothing herein shall affect, vary, derogate from, limit or amend any of the protections in favour of the Monitor at law or pursuant to the CCAA, the ARIO or any other Order of this Court in the CCAA proceedings.

10. Notwithstanding the discharge of FTI Consulting Canada Inc. as Monitor herein and the termination of the CCAA proceedings upon the Monitor filing the Termination Certificate, the Court shall remain seized of any matter arising from the CCAA proceedings, and FTI Consulting Canada Inc. shall have the authority from and after the date of this Order to apply to this Court to address matters ancillary or incidental to the CCAA proceedings, notwithstanding the termination thereof. FTI Consulting Canada Inc. is authorized to take such steps and actions as it deems necessary to address matters ancillary or incidental to its capacity as Monitor before and following the termination of the CCAA proceedings, and in completing or addressing any such ancillary or incidental matters, FTI Consulting Canada Inc. shall continue to have the benefit of the provisions of the CCAA and provisions of all Orders made in the CCAA proceedings in relation to its capacity as Monitor, including all approvals, protections and stays of proceedings in favour of FTI Consulting Canada Inc. in its capacity as Monitor.

Service of Order

11. Service of this Order shall be deemed good and sufficient by serving the same on:

- (a) the persons listed on the service list attached maintained in the within proceedings; and
- (b) by posting a copy of this Order on the Monitor's website created for these proceedings.

J.C.K.B.A.

SCHEDULE "A"

Termination Certificate

See Attached

Termination Certificate

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IN IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, RSC 1985, c C-36, as amended

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF DYNAMIC ATTRACTIONS INC. and 2524604 ALBERTA LTD.

DOCUMENT **Termination Certificate**

ADDRESS FOR SERVICE **Burnet, Duckworth & Palmer LLP**
AND CONTACT 2400, 525 - 8 Avenue SW
INFORMATION OF PARTY Calgary, Alberta T2P 1G1
FILING THIS DOCUMENT Lawyer: David LeGeyt / Ryan Algar
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Fax Number: (403) 260-0332
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File no.: 75459-2

RECITALS

- A. Pursuant to an Order of the Court of King's Bench of Alberta (the "**Court**") dated March 9, 2023, FTI Consulting Canada Inc. was appointed as the monitor (the "**Monitor**") of Dynamic Technologies Group Inc., Dynamic Attractions Ltd., Dynamic Entertainment Group Ltd., Dynamic Structures Ltd. and Dynamic Attractions Inc..
- B. Pursuant to an Order of the Court dated June 23, 2023, 2524604 Alberta Ltd. was added as a party to these proceedings, and only Dynamic Attractions Inc. and 2524604 Alberta Ltd. remain subject to these proceedings.
- C. Pursuant to paragraph 7 of the Order of Justice R. Neufeld made in these proceedings on October 13, 2023, the Monitor shall be discharged, and these proceedings shall be terminated upon the Monitor filing this Termination Certificate.

THE MONITOR HEREBY CERTIFIES the following:

1. All of the steps required to complete these proceedings have been completed on this ___ day of _____ and the Monitor is hereby discharged and these proceedings terminated.

**FTI CONSULTING CANADA INC.,
in its capacity as the court-appointed
Monitor of the Debtors and not in its
personal or corporate capacity.**

Per: _____

Name:

Title: