

COURT FILE NUMBER 2401-02664

COURT COURT OF KING'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 THE COMPROMISE OR ARRANGEMENT OF LYNX AIR HOLDINGS CORPORATION and 1263343 ALBERTA INC. dba LYNX AIR

DOCUMENT **ORDER**
(Restricted Court Access Order)

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **OSLER, HOSKIN & HARCOURT LLP**
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File Number: 1246361

DATE ON WHICH ORDER WAS PRONOUNCED: April 2, 2024

JUSTICE WHO MADE THIS ORDER: The Honourable Justice Sidnell

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

UPON THE APPLICATION of Lynx Air Holdings Corporation and 1263343 Alberta Inc. dba Lynx Air (the "**Applicants**"); **AND UPON** having read the Application, the Affidavit of Michael Woodward sworn March 25, 2024, the Confidential Affidavit of Michael Woodward sworn February 22, 2024, and the Confidential Affidavit of Michael Woodward sworn March 25, 2024 (the "**Confidential Woodward Affidavit**"); **AND UPON** reading the Second Report of FTI Consulting Canada Inc. in its capacity as monitor of the Applicants (the "**Monitor**"), filed March 27, 2024 and the Confidential Supplement to the Second Report of the Monitor dated March 27, 2024; **AND UPON** hearing the submissions of counsel for the Applicants, counsel for The Boeing Company ("**Boeing**"), counsel for the Monitor, and counsel for any other party present at the

application; **AND UPON** reviewing the initial order granted in the within proceedings pursuant to the *Companies' Creditors Arrangement Act (Canada)*, R.S.C. 1985, c. C-36, as amended by the Honourable Justice Gill on February 22, 2024 and the amended and restated initial order granted by the Honourable Justice Whitling on March 1, 2024;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Subject to further Order of this Honourable Court, the Confidential Woodward Affidavit shall be sealed on the Court file and shall not form part of the public record, notwithstanding Division 4, Part 6 of the *Alberta Rules of Court*, subject to further Order of this Court made on notice to the Applicants and Boeing.
2. The Clerk of this Honourable Court shall file the Confidential Woodward Affidavit in a sealed envelope, and the Confidential Woodward Affidavit and envelope shall each have attached to them a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED
BY LYNX AIR HOLDINGS CORPORATION AND 1263343 ALBERTA
INC. DBA LYNX AIR WHICH IS SEALED PURSUANT TO THE
RESTRICTED COURT ACCESS ORDER ISSUED BY THE
HONOURABLE JUSTICE SIDNELL ON APRIL 2, 2024.

3. Leave is hereby granted to any person, entity or party affected by this Order to apply to this Court for a further Order vacating, substituting, modifying, or varying the terms of this Order, with such application to be brought on notice to the Applicants, Boeing and the Monitor.
4. Any notice to be made to Boeing, as required by this Order, may be provided by electronic transmission to Leanne Williams of Thornton Grout Finnigan LLP at lwilliams@tgf.ca, with a copy to Boeing at bcag.corresmgnt@boeing.com, and without further Order of this Court.


Justice of the Alberta Court of King's Bench