

Form 35 (Rules 8-4(1), 13-1(3), 17-1(2) and 25-9(2))

No. **S1810743** VANCOUVER Registry

#### IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED AND IN THE MATTER OF THE BUSINESS CORPORATIONS ACT, S.B.C. 2002, c. 57, AS AMENDED AND IN THE MATTER OF THE CANADA BUSINESS CORPORATIONS ACT, R.S.C. 1985, c. C-44, AS AMENDED AND IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF PUREWAL BLUEBERRY FARMS LTD., 0726357 B.C. LTD., 0726365 B.C. LTD. 0726368 B.C. LTD., and PUREWAL FARMS PARTNERSHIP

PETITIONERS

## ORDER MADE AFTER APPLICATION (STAY EXTENSION AND DISTRIBUTION ORDER)

BEFORE ) THE HONOURABLE JUSTICE ) AFFLECK ) August 12, 2019

ON THE APPLICATION of the Petitioners coming on for hearing at Vancouver, British Columbia on August 12, 2019 and on hearing Katie G. Mak, counsel for the Petitioners and the counsel on the list attached hereto as **Schedule "A"**, and upon reading the material filed, and pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. c. C-36, as amended, the British Columbia Supreme Court Civil Rules and the inherent jurisdiction of this Honourable Court;

#### THIS COURT ORDERS that:

1. Clark Wilson LLP be authorized and directed to hold or distribute the funds held pursuant to paragraph 10 of the Order pronounced December 12, 2018 in the proceedings (the "**Proceeds**") as follows:

- (a) to continue to hold \$1,955,000, plus any applicable taxes, on account of a claim by Harjinder Singh Berar, Karmjit Kaur Berar, Berar Farms Ltd., and Nelson Road Investments Ltd. against the Proceeds; and
- (b) to continue to hold \$1,778,724.57 on account of the deemed trust claim of Canada Revenue Agency against the Proceeds; and
- (c) to distribute the balance to the FTI Consulting Canada Inc., in its capacity as court-appointed Monitor of the Petitioners.

2. The stay of proceedings provided for in the Initial Order pronounced on October 11, 2018, as extended by the Orders pronounced November 2, 2018, December 12, 2018, February 6, 2019, April 12, 2019, May 6 and May 8, is hereby extended to September 30, 2019.

3. The approval of counsel as to form listed as **Schedule "A"** hereto, except for counsel for the Petitioners, is dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Lawyer for the Petitioners Lawyer: Katie G. Mak

BY THE COURT Kide

FORM CHFCKF NR Registrar

### Schedule "A"

# LIST OF COUNSEL

Monitor

- 3 -

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PETITIONERS

#### **ORDER MADE AFTER APPLICATION**

File No.: 47153-0001

# **CLARK WILSON LLP**

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LAWYER: Katie G. Mak (Direct #: 604.643.3105)

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