



COURT FILE NUMBER 2001-05630

COURT COURT OF QUEEN'S BENCH OF ALBERTA IN
BANKRUPTCY AND INSOLVENCY

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 (ADJOURNMENT AND STAY EXTENSION)**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS
DOCUMENT

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DATE ON WHICH ORDER WAS PRONOUNCED: June 3, 2020

LOCATION OF HEARING: Calgary

NAME OF JUDGE WHO MADE THIS ORDER: The Hon. Madam Justice K. Eidsvik

UPON the application (“**Application**”) of Dominion Diamond Mines ULC (“**Dominion Diamond**”), Dominion Diamond Delaware Company, LLC, Dominion Diamond Canada ULC, Washington Diamond Investments, LLC, Dominion Diamond Holdings, LLC, and Dominion Finco Inc. (collectively, the “**Applicants**”); **AND UPON** having read the Applicants’ Notice of Application, filed, the Affidavit of Brendan Bell, sworn May 21, 2020, filed, the Affidavit of Patrick Merrin, sworn May 11, 2020, filed, the Affidavit of John Startin, sworn May 21, 2020, filed, the Affidavits of Thomas Croese, sworn May 7, 2020 and May 28, 2020, respectively, filed, and the Affidavit of Service of Renee Dubeau sworn May 28, 2020, filed (the “**Service Affidavit**”); **AND UPON** hearing counsel for the Applicants, counsel for Diavik Diamond Mines (2012) Inc. (“**DDMI**”), counsel for FTI Consulting Canada Inc. (the “**Monitor**”), and those other counsel present; **AND UPON** reading the Fourth Report of the Monitor and the Supplement to the Fourth Report, both filed;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The Application is properly returnable today, service of the Application on the service list for this proceeding (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, are entitled to service of the Application.
2. Capitalized terms used herein and not otherwise defined shall have the meaning ascribed to them in the Affidavit of Kristal Kaye sworn April 21, 2020, in the within proceedings.
3. The Applicants’ Notice of Application filed May 22, 2020 is hereby adjourned.
4. The Stay Period (as defined in paragraph 13 of the Amended and Restated Initial Order of this Court granted on May 1, 2020) be and is hereby extended from June 4, 2020 to and including June 19, 2020.
5. Until and including June 19, 2020, DDMI, in its capacity as manager under the Diavik JVA, be and is hereby authorized to hold Dominion Diamond's share of production from the Diavik Mine (the “**Dominion Products**”) at the Diavik Production Splitting Facility in Yellowknife, Northwest Territories (the “**PSF**”). DDMI shall hold the Dominion Products in trust, and subject to the following conditions:

- (a) DDMI shall segregate the Dominion Products from DDMI's share of production from the Diavik Mine;
- (b) DDMI shall provide adequate safeguarding of, and insurance coverage for, the Dominion Products;
- (c) DDMI shall provide each of Dominion Diamond and the Monitor with reporting and records on the Dominion Products as may be requested by Dominion Diamond or the Monitor; and
- (d) DDMI shall permit reasonable access to Dominion Diamond and the Monitor to attend at the PSF and audit or inspect the Dominion Products.

6. 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.



Justice of the Court of Queen's Bench of Alberta