



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**
(STAY EXTENSION AND ADDITION OF APPLICANT)

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

BLAKE, CASSELS & GRAYDON LLP
Barristers and Solicitors
3500 Bankers Hall East
855 – 2nd Street SW
Calgary, Alberta T2P 4J8
Attention: Peter L. Rubin / Peter Bychawski /
Claire Hildebrand / Morgan Crilly
Telephone No.: 604.631.3315 / 604.631.4218 /
604.631.3331 / 403.260.9657
Email: peter.rubin@blakes.com /
peter.bychawski@blakes.com /
claire.hildebrand@blakes.com /
morgan.crilly@blakes.com

Fax No.: 604.631.3309

DATE ON WHICH ORDER WAS PRONOUNCED: September 25, 2020

LOCATION OF HEARING: Calgary

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

UPON the application 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. (collectively, the “**Applicants**”) and Dominion Diamond Marketing Corporation (“**Dominion Marketing**”); **AND UPON** having read the notice of application of the Applicants and Dominion Marketing, filed; and the Affidavit of Kristal Kaye, sworn September 18, 2020, filed; **AND UPON** reading the Sixth Report of FTI Consulting Canada, Inc. (the “**Monitor**”), filed; **AND UPON** hearing counsel for the Applicants and Dominion Marketing, counsel for the Monitor, and any other counsel present;

IT IS HEREBY ORDERED AND DECLARED THAT:

Service

1. The time for service of the notice of application for this order (the “**Order**”) is hereby abridged and deemed good and sufficient and this application is properly returnable today.

Capitalized Terms

2. Unless otherwise indicated or defined herein, capitalized terms used in this Order shall have the meanings given to them in the Second Amended and Restated Initial Order of this Court dated June 19, 2020 (the “**SARIO**”).

Extension of Stay Period

3. The Stay Period is hereby extended until and including November 7, 2020.

Addition of Applicant

4. Effective as of 12:01 a.m. on the date of this Order, the SARIO shall be deemed to be amended such that Dominion Marketing shall for all purposes be deemed to be an Applicant in these CCAA proceedings, and, for greater certainty:
 - (a) Dominion Marketing is hereby granted all of the rights and protections afforded to the Applicants by the SARIO;

- (b) the directors and officers of Dominion Marketing are hereby granted all of the rights and protections afforded to the directors and officers of the Applicants by the SARIO;
 - (c) the Monitor, in addition to its prescribed rights and obligations under the CCAA, subject to the dispensation of certain requirements as provided for by this Order, is hereby directed and empowered to perform such duties with respect to Dominion Marketing as the Monitor is required to perform with respect to the Applicants pursuant to the SARIO or by order of this Court from time to time; and
 - (d) the Charges created by the SARIO shall constitute a charge on the Property (as defined in the SARIO) of Dominion Marketing with such priorities and protections as are provided to the Charges in the SARIO in connection with the Applicants' Property.
5. Upon the Effective Date the style of cause of these CCAA proceedings shall be amended as shown on Schedule "A" to this Order.
6. The Monitor's obligation to publish the notice prescribed by section 23(1)(a)(i) of the CCAA with respect to Dominion Marketing is hereby dispensed with.



Justice of the Court of Queen's Bench of Alberta

Clerk's Stamp

Schedule "A"

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. AND
DOMINION DIAMOND MARKETING CORPORATION**