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PLAINTIFF

COURT FILE NUMBER 2201-12935

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COURT OF KING'S BENCH OF ALBERTA

FILED DIGITALLY 2201 12935

JUDICIAL CENTRE CALGARY

FORAGE SUBORDINATED DEBT LR NI 2/41 PM

3/9/2

DEFENDANTS ENTERRA FEED CORPORATION, ENTERRALES

FEED US CORPORATION, ENTERRA FEED US SALES CORPORATION, and ENTERRA

FEED MARION CORPORATION

DOCUMENT ORDER FOR FINAL DISTRIBUTION,

APPROVAL OF RECEIVER'S FEES AND DISBURSEMENTS, APPROVAL OF RECEIVER'S ACTIVITIES AND DISCHARGE

OF RECEIVER

ADDRESS FOR MLT Aikins LLP

SERVICE AND
CONTACT
Calgary, AB T2P 0B4
INFORMATION OF
Attention: Ryan Zahara
PARTY FILING THIS
DOCUMENT
Telephone: 403-693-5420
Facsimile: 403-508-4349

File: 0052752.00005

DATE ON WHICH ORDER WAS PRONOUNCED: MAY 24, 2023

LOCATION WHERE ORDER WAS PRONOUNCED: CALGARY, ALBERTA

NAME OF THE MASTER/JUDGE WHO MADE THIS ORDER: JUSTICE B.B. JOHNSTON

UPON THE APPLICATION of FTI Consulting Canada Inc., in its capacity as the Court-appointed receiver (the "**Receiver**") of the undertaking, property and assets of Enterra Feed Corporation (the "**Debtor**") for an Order for the final distribution of proceeds, approval of the Receiver's fees and disbursements, approval of the Receiver's activities and discharge of the Receiver **AND UPON** hearing read the Receiver's Second Report dated May 15, 2023 (the "**Receiver's Second Report"**) and the Affidavit of Service of Joy Mutuku, sworn on May

24, 2023; **AND UPON** hearing counsel for the Receiver, counsel for the Secured Creditor and counsel for various creditors; **AND UPON** being satisfied that it is appropriate to do so, **IT IS ORDERED THAT:**

- 1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given.
- 2. The Receiver's accounts for fees and disbursements, inclusive of the Holdback, as set out in the Receiver's Second Report are hereby approved without the necessity of a formal passing of its accounts.
- The accounts of the Receiver's legal counsel MLT Aikins LLP, for its fees and disbursements, inclusive of the Holdback, as set out in the Receiver's Second Report are hereby approved without the necessity of a formal assessment of its accounts.
- 4. The Receiver's activities as set out in the Receiver's Second Report and the Statement of Receipts and Disbursements as set out in paragraph 15 of the Receiver's Second Report, are hereby ratified and approved.
- 5. The Receiver is authorized and directed to make the proposed Distribution and Holdback as defined and outlined in paragraphs 39 and 41 of the Second Report.
- On the evidence before the Court, the Receiver has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof, and the Receiver shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within proceedings, save and except for any liability arising out of any in fraud, gross negligence or willful misconduct on the part of the Receiver, or with leave of the Court. Subject to the foregoing any claims against the Receiver in connection with the performance of its duties are hereby stayed, extinguished and forever barred.

- 7. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on Notice to the Receiver, and upon such terms as this Court may direct.
- 8. Upon the Receiver filing with the Clerk of the Court a sworn Affidavit of a licensed Trustee employed by the Receiver confirming that all matters set out in paragraph 5 of this Order have been completed, then the Receiver shall be discharged as Receiver of the Debtor, provided however, that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.
- 9. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by Facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
- Service of this Order on any party not attending this application is hereby dispensed with.

Justice of the Court of King's Bench of Alberta