

COURT FILE NUMBER

2503 00016

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED
AND IN THE MATTER OF KMC MINING CORPORATION

DOCUMENT

**ORDER FOR APPROVAL OF ALLOCATION AND
DISTRIBUTION**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION OF PARTY
FILING THIS DOCUMENT

Monitor

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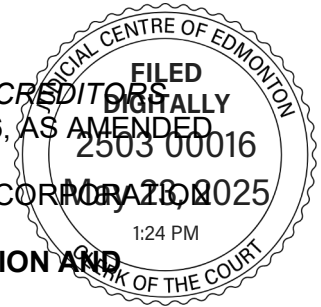
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File: 0052752-00008

DATE ON WHICH ORDER WAS PRONOUNCED: May 23, 2025

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Justice L.K. Harris

UPON THE APPLICATION of FTI Consulting Canada Inc., in its capacity as the Court-appointed Monitor (the "**Monitor**") of KMC Mining Corporation ("**KMC**" pursuant to the initial order granted under the *Companies' Creditors Arrangement Act* (Canada) (the "**CCAA**") on January 10, 2025, and subsequently amended and restated on January 20, 2025 (collectively, the "**ARIO**"), all in the within proceedings (the "**CCAA Proceedings**"); **AND UPON** having read the Third Report of the Monitor, dated May 13, 2025 (the "**Third Report**"), the Affidavit of Daniel Klemke, sworn on May 9, 2025, and the Monitor's Supplemental Report to the Third Report dated May 23,



2025 (the “**Supplemental Report**”); **AND UPON** having read the Affidavit of Service of Ameena Quazi, sworn on May 23, 2025; **AND UPON** hearing from counsel for the Monitor, counsel for KMC, and all other interested parties in attendance;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Service of notice of this Application and supporting materials are 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 Revised Proposed Second Distributions (including the proposed cost allocation contained therein), as defined and described in the Supplemental Report in paragraph 15 is hereby approved.
3. The Monitor is hereby authorized and empowered to make the distributions to creditors as set out in the Supplemental Report at paragraph 15.
4. The Monitor is authorized and empowered to do such things, and execute and deliver such additional, restated and ancillary documents and assurances governing or giving effect to the distribution, which in the Monitor’s discretion, are reasonably necessary or advisable to properly give effect to the distribution contemplated in paragraph 2 above or this Order.
5. Service of this Order shall be deemed good and sufficient by:
 - a. serving the same on:
 - i. the persons listed on the service list created in these proceedings;
 - ii. any other person served with notice of the Application for this Order;
 - iii. any other parties attending or represented at the Application for this Order; and
 - b. posting a copy of this Order on the Monitor’s website at cfcanda.fticonsulting.com/KMCMining/
6. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.



Justice of the Court of King’s Bench of Alberta