



No. S-226670
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 THE *BUSINESS
CORPORATIONS ACT*, S.N.B. 1981, C. B-9.1, AS AMENDED

AND

IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF
TREVALI MINING CORPORATION AND TREVALI MINING (NEW BRUNSWICK) LTD.

PETITIONERS

**ORDER MADE AFTER APPLICATION
(APPIAN INDEMNITY CLAIM PROCEDURAL ORDER)**

BEFORE) THE HONOURABLE MADAM) 24/MAR/2026
) JUSTICE FITZPATRICK)
))

ON THE APPLICATION of FTI Consulting Canada Inc., in its capacity as court-appointed monitor (in such capacity, the "**Monitor**") of Trevali Mining Corporation ("**Trevali Corp.**"), coming on for hearing at Vancouver, British Columbia, on the 24th day of March, 2026; AND ON HEARING John Sandrelli, counsel for the Monitor, and those other counsel listed on Schedule "A" hereto; AND UPON READING the material filed, including Twenty-Fourth Report of the Monitor dated March 17, 2026; AND pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 (the "**CCAA**"), as amended, the *British Columbia Supreme Court Civil Rules* (the "**Rules**"), and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES that:

1. In accordance with the Share and Asset Purchase Agreement dated December 15, 2022, as amended from time to time, among Trevali Mining Corporation (“**Trevali**” or the “**Defendant**”) and Appian Natural Resources Fund III LP and Appian Natural Resources (UST) Fund III LP, as assigned to ANR RP Limited (“**ANR**”, and collectively with Appian Natural Resources Fund III LP and Appian Natural Resources (UST) Fund III LP, “**Appian**”, which is collectively with Rosh Pinah Zinc Corporation (PYT) Ltd., the “**Plaintiffs**”), and approved by this Court by order granted December 21, 2022, Supreme Court of British Columbia Action No. 257635 (the “**Action**”) shall be tried within this CCAA proceeding and the parties hereby submit to the jurisdiction of this Court under the CCAA to resolve all disputes raised in the Action.

2. The following procedural timeline shall apply to the Action unless otherwise ordered by this Court or agreed to in writing by counsel to each of the parties to the Action:

No.	DATE	INTERVAL	PARTY	STEP
1.	June 16, 2026	12 weeks from date of Order	Plaintiffs	Filing of all affidavits with all evidence in chief, except for expert evidence, and delivery of a list of documents listing all documents identified as exhibits to affidavits.
2.	September 8, 2026	12 weeks	Defendants	Filing of all affidavits with all evidence in chief, except for expert evidence, and delivery of list of documents listing all documents identified as exhibits to affidavits.
3.	October 6, 2026	4 weeks	Plaintiffs	Filing of all affidavits with reply evidence, if any, except for expert evidence.
4.	October 27, 2026	3 weeks	Both	Simultaneous delivery of demands for documents pursuant to Rule 7-1(10) or for additional documents pursuant to Rule 7-1(11), if any.

5.	December 8, 2026	6 weeks	Both	Simultaneous delivery of all responses to demands for documents under Rule 7-1(12), including amended lists of documents if further documents are being produced.
6.	January 5, 2027	4 weeks	Both	Filing of applications for documents pursuant to Rules 7-1(13), if any.
7.	February 2, 2027	4 weeks	Both	Hearing of Rule 7-1(13) applications, if any.
8.		4 weeks after decision on Rule 7-1(13) applications	Both	Parties to produce all further documents ordered as a result of Rule 7-1(13) applications, if any, and delivery of amended lists of documents listing all documents disclosed as a result of Rule 7-1(13) order.
9.		4 weeks	Both	Parties receiving further documents as a result of Rule 7-1(13) applications may file supplementary affidavits arising from or relying on newly disclosed documents.
10.		6 weeks	Plaintiffs	Filing of expert evidence by way of affidavit.
11.		4 weeks	Defendant	Filing of responsive expert evidence by way of affidavit.
12.		4 months	Both	Case planning conference to determine trial procedure, including determination of whether cross-examinations may be ordered to be conducted out of court or as part of trial procedure.

3. In the event that no document demands are exchanged by the expiry of the deadline set out in step 4 of the procedural timeline, the parties will proceed to file expert evidence by way of affidavit commencing with step 10 of the procedural timeline.
4. Documents listed pursuant to the procedural timeline above shall be listed in accordance with Rule 7-1 and all relevant sub-rules, with the exception of Rule 7-1(1)(a)(i), and must also identify which documents correspond to which demands made pursuant to Rules 7-1(10) or 7-1(11).
5. The parties to the Action agree that the requirement to file affidavits of evidence and deliver lists of documents listing only those documents exhibited to the affidavits or ordered to be produced pursuant to Rule 7-1(13) displaces the requirement under Rule 7-1(1)(a)(i) that the parties' lists of documents must disclose all documents which are or have been in the party's possession or control and that could, if available, be used by any party of record at trial to prove or disprove a material fact.
6. The parties to the Action and the Monitor may, from time to time, apply to this Court for directions with respect to the conduct of the Actions.
7. Further Court applications in the Action are stayed save and except as are brought forward for determination in this CCAA proceeding.
8. Adjudication of the Action in this CCAA proceeding does not preclude any pre-trial procedural rights in the Action under the Rules, subject to this Order and any directions from this Court as may be required.
9. Nothing in this Order abrogates the right of any party to the Action to file such other interlocutory application(s) in this CCAA proceeding in connection with the Action, or take any other steps in the Action, as are permissible under the Rules or the CCAA, subject to any directions from this Court as may be required.
10. Notwithstanding any provision of this Order, any and all appeal rights with respect to this Order and the Action, including any future interlocutory or final orders, are subject to Section 13 of the CCAA.

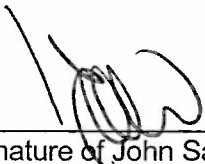
General

11. THIS COURT REQUESTS the aid and recognition of other Canadian and foreign Courts, tribunal, regulatory or administrative bodies, including any Court or administrative tribunal of any federal or State Court or administrative body in the United States of America, Burkina Faso, Namibia and South Africa to act in aid of and to be complementary

to this Court in carrying out the terms of this Order where required. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to Trevali Corp. and the Monitor as officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist Trevali Corp. and the Monitor, and their respective agents in carrying out the terms of this Order.


12. Endorsement of this Order by counsel appearing on this application other than counsel for the Monitor is hereby 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 John Sandrelli
Lawyer for the Monitor



By the Court.


Registrar



SCHEDULE "A"

LIST OF COUNSEL

Counsel Name	Party Represented
Lesley Mercer	<i>Counsel for Rosh Pinah Zinc Corporation (Pty) Ltd. /Appian Natural Resources Fund III LP / Appian Natural Resources Fund (UST) III LP and ANR RP Limited (collectively, "Appian")</i>

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File No.
584476-8