

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF ANTIBE THERAPEUTICS INC.**

**Applicant**

**MOTION RECORD**

May 6, 2024

**NORTON ROSE FULBRIGHT CANADA LLP**  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto, ON M5K 1E7  
Fax: 416.216.3930

**Evan Cobb LSO#: 55787N**  
Tel: 416.216-1929  
[evan.cobb@nortonrosefulbright.com](mailto:evan.cobb@nortonrosefulbright.com)

Lawyers for the Monitor

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

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**TAB 1**

Court File No. CV-24-00718083-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF ANTIBE THERAPEUTICS INC.**

**Applicant**

**NOTICE OF MOTION**

Deloitte Restructuring Inc. ("**Deloitte**") will make a motion to a Judge of the Superior Court of Justice (Commercial List), on **Monday, May 13, 2024 at 12:30 p.m.** or as soon after that time as the motion can be heard, by judicial videoconference via Zoom at Toronto, Ontario. Please advise if you intend to join the motion by emailing Katie Parent at [katie.parent@nortonrosefulbright.com](mailto:katie.parent@nortonrosefulbright.com).

**PROPOSED METHOD OF HEARING:** The motion is to be heard orally.

**THE MOTION IS FOR AN ORDER**, among other things:

- 1 If necessary, abridging and validating the time for service and filing of this notice of motion and motion record;
- 2 Approving the fees and expenses of Deloitte, in its capacity as Monitor (the "**Monitor**"), and its legal counsel, Norton Rose Fulbright Canada LLP; and
- 3 Such further and other relief as this Honourable Court may deem just.

## THE GROUNDS FOR THE MOTION ARE:

### Background

1 On April 9, 2024, Antibe Therapeutics Inc. sought and obtained an initial Order (the “**Initial Order**”) under the *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, (“**CCAA Proceedings**”) and Deloitte was appointed Monitor in the CCAA Proceedings;

2 Pursuant to the endorsement of Justice Osborne dated April 22, 2024, the CCAA Proceedings were terminated and a receiver was appointed;

3 The activities of the Monitor are set out in detail in the first report of the Monitor dated April 15, 2024 (the “**First Report**”) and are consistent with its mandate pursuant to the Initial Order;

4 The fees of Deloitte in its capacity as Monitor as more particularly set out in the affidavit of Nigel Meakin sworn May 3, 2024 (the “**Meakin Affidavit**”) up to April 30, 2024 total \$84,305.00, excluding disbursements and HST;

5 The fees of Norton Rose Fulbright Canada LLP (“**NRFC**”) as more particularly set out in the affidavit of Evan Cobb sworn May 3, 2024 (the “**Cobb Affidavit**” and together with the Meakin Affidavit, the “**Fee Affidavits**”) up to April 28, 2024 total \$45,686.00, excluding disbursements and HST;

6 In addition, Deloitte and NRFC have additional unbilled fees and disbursements, and future fees and disbursements, for additional matters following the periods covered by the Fee Affidavits. These amounts are not expected to exceed \$10,000 in the aggregate, excluding applicable taxes;

7 The fees incurred by Deloitte in its capacity as Monitor and NRFC are reasonable and appropriate in the circumstances;

**Other Grounds**

- 8 The provisions of the CCAA and the inherent and equitable jurisdiction of this Court;
- 9 Rules 1.04 and 37 of the *Rules of Civil Procedure* (Ontario); and
- 10 Such further and other grounds as counsel may advise and this Honourable Court may deem just.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the motion:

- 1 The Meakin Affidavit;
- 2 The Cobb Affidavit; and
- 3 Such further and other evidence as counsel may advise and this Court may permit.

May 6, 2024

**NORTON ROSE FULBRIGHT CANADA LLP**  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto, ON M5K 1E7  
Fax: 416.216.3930

**Evan Cobb LSO#: 55787N**  
Tel: 416.216-1929  
[evan.cobb@nortonrosefulbright.com](mailto:evan.cobb@nortonrosefulbright.com)

Lawyers for the Monitor

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985,  
c. C-36, AS AMENDED

Court File No. CV-24-00718083-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
ANTIBE THERAPEUTICS INC.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**NOTICE OF MOTION**

**Norton Rose Fulbright Canada LLP**  
222 Bay Street, Suite 3000  
Toronto, Ontario M5K 1E7 CANADA

**Evan Cobb LSO#: 55787N**  
Tel: (416) 216-1929  
Fax: (416) 216-3930  
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Lawyers for the Monitor

**TAB 2**



Court File No. CV-24-00718083-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

**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  
ANTIBE THERAPEUTICS INC.**

**AFFIDAVIT OF NIGEL MEAKIN  
(Sworn May 3, 2024)**

I, **NIGEL MEAKIN**, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am a Senior Vice President of Deloitte Restructuring Inc. ("**Deloitte**") and, as such, I have knowledge of the matters hereinafter deposed to except where stated to be on information and belief, and where so stated, I verily believe it to be true. I do not, and do not intend to, waive any applicable privilege by any statement herein.
2. On April 9, 2024, Antibe Therapeutics Inc. (the "**Applicant**") sought and obtained an initial order (the "**Initial Order**") under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**"). The Initial Order, *inter alia*, appointed Deloitte as Monitor (the "**Monitor**"). The proceedings commenced by the Applicant under the CCAA will be referred to herein as the "**CCAA Proceedings**".
3. This affidavit is sworn in support of the Monitor's motion for approval of the fees and disbursements of the Monitor and its counsel (the "**Fee Approval Motion**") and for no improper purpose.

4. The Honourable Mr. Justice Osborne has granted an Order dated April 22, 2024, *inter alia*, terminating the CCAA Proceedings and discharging the Monitor (the “**CCAA Termination Order**”).
5. Pursuant to paragraph 24 of the Initial Order, the Monitor and its counsel have from time to time been paid their fees and disbursements at their standard rates and charges. As at the date of this affidavit, certain fees and disbursements of the Monitor and its counsel have not yet been paid.
6. Pursuant to paragraph 25 of the Initial Order, the Monitor and its counsel are required to pass their accounts from time to time and, for that purpose, the accounts of the Monitor and its legal counsel are referred by the Initial Order to a judge of the Commercial List of the Ontario Superior Court of Justice (the “**Court**”).
7. The total fees and disbursements of the Monitor for the CCAA Proceedings amount to \$92,952.91 (the “**Monitor Fees and Disbursements**”), including fees of \$84305.00 and disbursements of \$441.70 (all excluding applicable taxes). Included in these amounts are the estimated fees and disbursements related to preparing for and attending the Fee Approval Motion. Attached hereto and marked as **Exhibit "A"** to this, my Affidavit, is a summary of the invoices rendered by the Monitor (the “**Accounts**”). True copies of the Accounts are attached as **Exhibit “B”** to this my Affidavit.
8. The activities undertaken and services provided by the Monitor in connection with the administration of the CCAA Proceedings are described in the Monitor’s First Report filed with the Court.
9. In the course of performing its duties, personnel of the Monitor have expended a total of 123.3 hours. Attached as **Exhibit “C”** to this, my Affidavit, is a schedule setting out a summary of the Monitor’s personnel involved in the administration of the CCAA Proceedings and the hours and applicable average rates per person invoiced by the Monitor. The overall average hourly rate billed by the Monitor is \$683.74.

10. A schedule of the descriptions of the services provided by the Monitor's staff is attached as **Exhibit "D"** to this my affidavit.
11. The Monitor requests that this Honourable Court approve the Monitor Fees and Disbursements in the total amount of \$92,952.91 (excluding applicable taxes).
12. Norton Rose Fulbright Canada LLP, in its capacity as independent counsel to the Monitor ("**NRF**"), has rendered services throughout the CCAA Proceedings in a manner consistent with the instructions of the Monitor.
13. The total fees and disbursements of NRF during the CCAA Proceedings amount to \$45,771.45 (the "**Counsel Fees and Disbursements**"), including fees of \$45,686.00 and disbursements of \$85.45 (all excluding applicable taxes). The time spent by the personnel of NRF is more particularly described in the affidavit of Evan Cobb of NRF, sworn on May 3, 2024, in support of the Fee Approval Motion. The descriptions of the time spent by personnel of NRF have been redacted for matters of privilege.
14. In addition, the Monitor and NRF have additional unbilled additional fees and disbursements, and will incur some further, for the period after that covered in the invoices included in the Monitor Fees and Disbursements and the Counsel Fees and Disbursements, including in connection with settling the form of the CCAA Termination Order, the Fee Approval Motion and ancillary matters that must be completed, such as complying with the filing requirements of the Office of the Superintendent of Bankruptcy with respect to the CCAA Proceedings (the "**Subsequent Fees and Disbursements**"). The Monitor's current expectation is that the Subsequent Fees and Disbursements will not exceed \$10,000 in the aggregate, excluding applicable taxes.
15. To the best of my knowledge, the rates charged by the Monitor and NRF are comparable to the rates charged for the provision of similar services by other similar restructuring firms and law firms in the Toronto market.

16. I verily believe that the Monitor Fees and Disbursements, the Counsel Fees and Disbursements and the Subsequent Fees and Disbursements are fair and reasonable in the circumstances and I request that they be approved by the Court.

**SWORN BEFORE ME** over videoconference by Nigel Meakin stated as being located at the City of Toronto, in the Province of Ontario, before me at the City of Toronto, in the Province of Ontario on May 3, 2024 in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner for Taking Affidavits

Katie Marie Parent, a Commissioner, etc.,  
Province of Ontario,  
for Norton Rose Fulbright Canada LLP /  
S.E.N.C.R.L., s.r.l., Barristers and Solicitors.  
Expires July 9, 2024



**NIGEL MEAKIN**

**EXHIBIT A**

**Summary of Invoices**

**Antibe Therapeutics Inc.**

**Summary of Monitor Invoices**

<b>Invoice Number</b>	<b>Date</b>	<b>Fees</b>	<b>Disbursements</b>	<b>Total</b>
8004668604	15/4/24	53,120.00	6,464.96	59,584.96
8004690426	22/4/24	24,875.00	1,741.25	26,616.25
8004725708	30/4/24	6,310.00	441.70	6,751.70
<b>Total</b>		<b>84,305.00</b>	<b>8,647.91</b>	<b>92,952.91</b>

**EXHIBIT B**

**The Accounts**



ATTN: Mr. Dan Legault Chief Executive Officer  
 Antibe Therapeutics Inc.  
 # 15 Prince Arthur Ave  
 Toronto ON M5R 1B2  
 Canada

## Invoice 8004668604

**Deloitte Restructuring Inc.**  
 5500 North Service Road  
 Suite 700  
 Burlington ON L7L 6W6

Tel: (905) 315-6770  
 Fax: (905) 315-6700  
 www.deloitte.ca

Date: April 15, 2024  
 Client No.: 1219793  
 WBS#: ANT01095  
 Engagement Partner: Nigel Meakin

GST/HST Registration: 122893605RT0001  
 QST Registration: 1012314163TQ0001

### For professional services rendered

#### Fees

Fees for services rendered pursuant to our engagement letter dated  
 March 11, 2024

#### Expense

Newspaper notice

HST applicable	53,120.00
HST applicable	2,746.56
Administrative Expense	3,718.40
HST at 13.00 %	<u>7,746.04</u>

#### Sales Tax

**Total Amount Due (CAD) 67,331.00**

Accounts shall be due and payable when rendered. Interest shall be calculated at a simple daily rate of 0.0493% (equivalent to 18% per annum). Interest shall be charged and payable at this rate on any part of an account which remains unpaid from thirty(30) days after the invoice date to the date on which the entire account is paid.





**Appendix #1  
Summary of Fees**

<b>Name</b>	<b>Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Meakin, Nigel	Senior Vice President	30.8	900.00	27,720.00
Brown, Rose	Manager	0.8	500.00	400.00
Lin, Mu-Shan Martin	Manager	21.1	500.00	10,550.00
Dave, Sumit	Manager	23.5	500.00	11,750.00
Conorton, Laura	Senior	7.2	375.00	2,700.00
<b>Total Professional Hours and Fees</b>		<b>83.4</b>		<b>53,120.00</b>
Out-of-pocket Expenses				2,746.56
<b>Total Fees and Expenses (CAD)</b>				<b>55,866.56</b>



ATTN: Mr. Dan Legault Chief Executive Officer  
 Antibe Therapeutics Inc.  
 # 15 Prince Arthur Ave  
 Toronto ON M5R 1B2  
 Canada

## Invoice 8004690426

### Deloitte Restructuring Inc.

5500 North Service Road  
 Suite 700  
 Burlington ON L7L 6W6

Tel: (905) 315-6770  
 Fax: (905) 315-6700  
 www.deloitte.ca

Date: April 22, 2024  
 Client No.: 1219793  
 WBS#: ANT01095  
 Engagement Partner: Nigel Meakin

GST/HST Registration: 122893605RT0001  
 QST Registration: 1012314163TQ0001

### For professional services rendered

#### Fees

Fees for services rendered pursuant to our engagement letter dated March 11, 2024

#### Sales Tax

HST applicable	24,875.00
Administrative Expense	1,741.25
HST at 13.00 %	<u>3,460.11</u>
<b>Total Amount Due (CAD)</b>	<b><u>30,076.36</u></b>

Accounts shall be due and payable when rendered. Interest shall be calculated at a simple daily rate of 0.0493% (equivalent to 18% per annum). Interest shall be charged and payable at this rate on any part of an account which remains unpaid from thirty(30) days after the invoice date to the date on which the entire account is paid.



**Appendix #1  
Summary of Fees**

<b>Name</b>	<b>Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Meakin, Nigel	Senior Vice President	22.0	900.00	19,800.00
Dave, Sumit	Manager	6.5	500.00	3,250.00
Lin, Mu-Shan Martin	Manager	3.2	500.00	1,600.00
Conorton, Laura	Senior	0.6	375.00	225.00
<b>Total Professional Hours and Fees</b>		<b>32.3</b>		<b>24,875.00</b>
Out-of-pocket Expenses				-
<b>Total Fees and Expenses (CAD)</b>				<b>24,875.00</b>



**Invoice 8004725708**

**Deloitte LLP**

5500 North Service Road  
Suite 700  
Burlington ON L7L 6W6

Tel: (905) 315-6770  
Fax: (905) 315-6700  
www.deloitte.ca

ATTN: Mr. Dan Legault Chief Executive Officer  
Antibe Therapeutics Inc.  
# 15 Prince Arthur Ave  
Toronto ON M5R 1B2  
Canada

Date: April 30, 2024  
Client No.: 1219793  
WBS#: ANT01095  
Engagement Partner: Nigel Meakin

GST/HST Registration: 133245290RT0001  
QST Registration: 1012314163TQ0001

**For professional services rendered**

**Fees**

Fees for services rendered pursuant to our engagement letter dated March 11, 2024

**Sales Tax**

HST applicable	6,310.00
Administrative Expense	441.70
HST at 13.00 %	<u>877.72</u>
<b>Total Amount Due (CAD)</b>	<b><u>7,629.42</u></b>

Accounts shall be due and payable when rendered. Interest shall be calculated at a simple daily rate of 0.0493% (equivalent to 18% per annum). Interest shall be charged and payable at this rate on any part of an account which remains unpaid from thirty(30) days after the invoice date to the date on which the entire account is paid.



**Appendix #1  
Summary of Fees**

<b>Name</b>	<b>Level</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Meakin, Nigel	Senior Vice President	6.4	900.00	5,760.00
Martin Lim	Manager	0.8	500.00	400.00
Conorton, Laura	Senior	0.4	375.00	150.00
<b>Total Professional Hours and Fees</b>		<b>7.6</b>		<b>6,310.00</b>
Out-of-pocket Expenses				-
<b>Total Fees and Expenses (CAD)</b>				<b>6,310.00</b>

**EXHIBIT C**

**Summary of Time Charges**

**Antibe Therapeutics Inc.**

**Summary of Monitor Hours**

<b>Name</b>	<b>Title</b>	<b>Rate \$/Hr</b>	<b>Total Hours</b>	<b>\$</b>
Meakin, Nigel	Senior Vice President	900	59.2	53,280.00
Brown, Rose	Manager	500	0.8	400.00
Lin, Mu-Shan Martin	Manager	500	25.1	12,550.00
Dave, Sumit	Manager	500	30	15,000.00
Conorton, Laura	Senior	375	8.2	3,075.00
<b>Total</b>			<b>123.3</b>	<b>84,305.00</b>

**Average Rate                      \$683.74**

**EXHIBIT D**

**Description of Services**



## Antibe Therapeutics Inc.

## Monitor Time Descriptions

Date	Name	Narrative	Hours
08/04/24	Meakin, Nigel	Numerous calls and discussions. Filing preparation. Preparation for and attendance at Board meeting.	6.2
08/04/24	Lin, Mu-Shan Martin	Assist company with preparation of cash flow forecast for CCAA filing. Attend call with advisors. Call B. Chin regarding opening balance and payables. Reconcile payables. Attend board meeting.	5.7
09/04/24	Conorton, Laura	Correspondence with team re website, formats, website creation	0.7
09/04/24	Meakin, Nigel	Preparation for and attendance in court. Calls and discussions re various issues. Attendance at Executive Committee.	5.9
09/04/24	Lin, Mu-Shan Martin	Attend board meeting. Call B. Chin regarding payment procedures, commitments and accounting cutoff. Discuss with N. Meakin regarding CCAA application. Initiate website to go live.	7.2
10/04/24	Conorton, Laura	Website updates and formatting changes, correspondence with team re: formatting of website and mailing coordination. Setting up file in Ascend, formatting creditor listing for accuracy in preparation for upload, uploading creditors.	4.0
10/04/24	Brown, Rose	Estate administration - Inquiry with OSB on filing of CCAA documents. Prepare envelopes for mailing.	0.3
10/04/24	Meakin, Nigel	Numerous calls and discussions with company, counsel, creditors and Monitor team. CCAA monitoring activities. Review of notices and other materials. Attendance at Executive Committee.	6.3
10/04/24	Lin, Mu-Shan Martin	Discuss CFF with S. Dave. Extend CFF and update rent payment frequency. Call B. Chin regarding CFF and variance analysis. Prepare paper mail and email for Notice to Creditors. Discuss creditor listing with S. Dave. Coordinate website materials.	8.2
10/04/24	Dave, Sumit	Discussion with the Company around Cash flow, and payment approval process; Internal discussion on task to be completed, Handover from martin (includes understanding of Cash Flow, creditors payment, and document organization, amongst others)	4.0

**Antibe Therapeutics Inc.**

**Monitor Time Descriptions**

<b>Date</b>	<b>Name</b>	<b>Narrative</b>	<b>Hours</b>
11/04/24	Conorton, Laura	Creditor mailing, creating labels, formatting. Providing documentation to team, necessary for filing.	2.4
11/04/24	Brown, Rose	Estate Administration - Prepare email with Form 1, Form 2 and Court document to the OSB to register CCAA, Discussion with Nigel Meakin regarding set up of CCAA filing with OSB.	0.5
11/04/24	Meakin, Nigel	Numerous calls and discussions with company, counsel, license holders, creditors and Monitor team. CCAA monitoring activities. Review of notices and other materials. Preparation of court report. Cash flow matters. Attendance at Executive Committee.	6.1
11/04/24	Dave, Sumit	Updated form 1&2 for submission; Updated creditors list for website; Coordinated with the company for disbursements for this week and its approval; Assist company with cashflow forecast along with bridge to previous one; Assessed credit card payments;	10.0
12/04/24	Conorton, Laura	Website updating	0.1
12/04/24	Meakin, Nigel	Review of court materials. Preparation of Court report. Executive committee call. Call with creditor.	4.2
12/04/24	Dave, Sumit	Assisting company with finalization of cash flow, preparing a bridge with previous submission, and Budget vs actuals.	8.0
13/04/24	Meakin, Nigel	Call with counsel to license holder. Review of cash forecast. Call with SD. Court report. Correspondence.	1.5
13/04/24	Dave, Sumit	Update to Cash Flow and Bridge	1.5
14/04/24	Meakin, Nigel	Responding to information request. Emails. Court report.	0.6
15/04/24	Conorton, Laura	Updating website	0.3
15/04/24	Meakin, Nigel	Preparation for and attendance at board meeting. Court report. Emails and calls with various parties. Call with key supplier. Second report. Review of Nuance materials	5.1
15/04/24	Dave, Sumit	Payment Approval process set-up, Approving disbursement for Payroll, and few other vendors; coordinating with the Company to understand details of payables, and uploading court materials on Antibe's website	4.5
16/04/24	Conorton, Laura	Updating website	0.1
16/04/24	Meakin, Nigel	Calls with counsel. attendance at executive committee. Emails. Calls with various parties. review of court materials	4.2

## Antibe Therapeutics Inc.

## Monitor Time Descriptions

Date	Name	Narrative	Hours
16/04/24	Dave, Sumit	Payment approval for payroll liability and professional fees and document upload for website.	1.0
17/04/24	Conorton, Laura	Updating website	0.1
17/04/24	Meakin, Nigel	Calls and discussions regarding various matters. Addressing Nuance information requests. Meeting with Monitor team. Calls with counsel.	3.1
17/04/24	Dave, Sumit	Internal discussion on response to Nuance, and Handover to Martin for the for performed in the week prior	1.0
17/04/24	Lin, Mu-Shan Martin	Prepare employee and contractor listing. Discuss information request response with N. Meakin and S. Dave. Update and CFF walkthrough with S. Dave.	3.2
18/04/24	Conorton, Laura	Updating website	0.1
18/04/24	Meakin, Nigel	Preparation for and attendance in court. Discussions with counsel re various issues. Exec committee call.	7.4
19/04/24	Meakin, Nigel	EC call. Discussions with management re various issues. Review of consulting contracts. Nuance information request. Correspondence. Calls and discussions re various issues.	2.2
22/04/24	Conorton, Laura	website updates	0.4
22/04/24	Meakin, Nigel	Calls with various parties. Review of decision of Osborne J. Call with advisor team. Call with Board and management. Review of draft receivership order. Calls with counsel	3.3
23/04/24	Meakin, Nigel	Review of draft receivership and CCAA termination orders. Calls with counsel. Preparation of fee approval affidavit and supporting materials	2.3
24/04/24	Martin Lim	Preparation of OSB forms	0.8
24/04/24	Meakin, Nigel	Gathering data re outstanding professional fees secured by Admin Charge. Call with counsel.	0.8
<b>Total</b>			<b>123.3</b>

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985,  
c. C-36, AS AMENDED

Court File No.: CV-24-00718083-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
ANTIBE THERAPEUTICS INC.

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**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

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**AFFIDAVIT OF NIGEL MEAKIN**

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**Norton Rose Fulbright Canada LLP**  
222 Bay Street, Suite 3000  
Toronto, Ontario M5K 1E7 CANADA

**Evan Cobb** LSUC #55787N  
Tel: 416.216.1929  
Email: [evan.cobb@nortonrosefulbright.com](mailto:evan.cobb@nortonrosefulbright.com)  
Fax: 416.216.3930

Lawyers for the Monitor

**TAB 3**

Court File No. CV-24-00718083-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT  
ACT, R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF ANTIBE THERAPEUTICS INC.**

**Applicant**

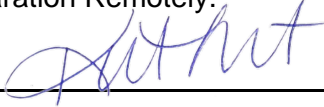
**AFFIDAVIT OF EVAN COBB  
(sworn May 3, 2024)**

I, **EVAN COBB**, of the City of Toronto, in the Province of Ontario, **MAKE OATH  
AND SAY:**

1. I am a partner with the law firm of Norton Rose Fulbright Canada LLP ("**Norton Rose**"), counsel to Deloitte Restructuring Inc., in its capacity as Court-appointed Monitor in these proceedings (the "**Monitor**"), and as such, have knowledge of the matters herein deposed to.
2. I hereby confirm that attached as Exhibit "A" hereto is a list of the accounts of Norton Rose for the periods indicated.
3. Attached as Exhibit "B" hereto is a summary of additional information with respect to our accounts, indicating all members of Norton Rose who worked on this matter for the period indicated, their year of call to the Bar (where applicable), their rates, and the aggregate blended rate. I confirm that the list represents an accurate summary of such information.
4. Attached as Exhibit "C" to this my affidavit are true copies of the accounts of Norton Rose for the above-noted periods. I confirm that these accounts accurately reflect the

services provided by Norton Rose in this matter for these periods and the fees and disbursements claimed by it for these periods.

**SWORN BEFORE ME** by Evan Cobb at the City of Paris, in the Country of France before me in the Town of Newmarket, in the Province of Ontario, on May 3, 2024 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



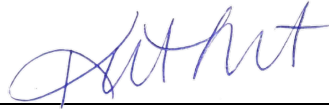
\_\_\_\_\_  
Commissioner for taking Oaths

Katie Marie Parent, a Commissioner, etc.,  
Province of Ontario,  
for Norton Rose Fulbright Canada LLP /  
S.E.N.C.R.L., s.r.l., Barristers and Solicitors.  
Expires July 9, 2024



\_\_\_\_\_  
**EVAN COBB**

This is **Exhibit “A”** referred to in the Affidavit of Evan Cobb sworn before me at the Town of Newmarket, in the Province of Ontario, on May 3, 2024 in accordance with O Reg 431/20, *Administering Oath or Declaration Remotely*.



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Commissioner for Taking Affidavits (or as may be)

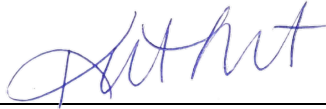
Katie Marie Parent, a Commissioner, etc.,  
Province of Ontario,  
for Norton Rose Fulbright Canada LLP /  
S.E.N.C.R.L., s.r.l., Barristers and Solicitors.  
Expires July 9, 2024



**EXHIBIT "A"**  
**List of Accounts of Norton Rose**

<b><u>Date of Account</u></b>	<b><u>Fees</u></b>	<b><u>Costs</u></b>	<b><u>HST/GST</u></b>	<b><u>Total</u></b>
April 10, 2024	\$7,215.00	\$0.00	\$937.95	\$8,152.95
April 16, 2024	\$17,905.00	\$0.00	\$2,327.65	\$20,232.65
April 22, 2024	\$16,938.50	\$34.40	\$2,205.44	\$19,178.34
May 1, 2024	\$3,627.50	\$51.05	\$478.21	\$4,156.76
<b>TOTALS:</b>	<b>\$45,686.00</b>	<b>\$85.45</b>	<b>\$5,949.25</b>	<b>\$51,720.70</b>

This is **Exhibit "B"** referred to in the Affidavit of Evan Cobb sworn before me at the Town of Newmarket, in the Province of Ontario, on May 3, 2024 in accordance with O Reg 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

Katie Marie Parent, a Commissioner, etc.,  
Province of Ontario,  
for Norton Rose Fulbright Canada LLP /  
S.E.N.C.R.L., s.r.l., Barristers and Solicitors.  
Expires July 9, 2024

**EXHIBIT "B"**  
**Blended Rate Table for Norton Rose**

<b>Name</b>	<b>Year of Call (if applicable)</b>	<b>Billing Rate</b>	<b>Number of Hours worked</b>	<b>Total Dollar Amount Billed</b>
Evan Cobb	2008	\$975.00	46.0	\$44,850.00
Maria Tsetsos	Law Clerk	\$400.00	0.80	\$320.00
Katie Parent	Law Clerk	\$430.00	1.20	\$516.00
<b>Total:</b>			<b>48.0</b>	<b>\$45,686.00</b>

**Summary of Aggregate Fees and Disbursements  
(excluding unbilled additional fees and costs):**

Fees:	\$45,686.00
Disbursements:	\$85.45
GST/HST:	\$5,949.25
<b>Total:</b> (including GST/HST)	<b>51,720.71</b>
<b>Blended Rate:</b> (excluding Disbursements and HST/GST)	<b>\$951.79</b>

This is **Exhibit “C”** referred to in the Affidavit of Evan Cobb sworn before me at the Town of Newmarket, in the Province of Ontario, on May 3, 2024 in accordance with O Reg 431/20, Administering Oath or Declaration Remotely.



---

*Commissioner for Taking Affidavits (or as may be)*

Katie Marie Parent, a Commissioner, etc.,  
Province of Ontario,  
for Norton Rose Fulbright Canada LLP /  
S.E.N.C.R.L., s.r.l., Barristers and Solicitors.  
Expires July 9, 2024

**Exhibit "C"**  
**Norton Rose Accounts**

**(See Attached)**

# INVOICE

**Invoice Number** 9090651501  
**Matter Number** 1001292367  
**Invoice Date** April 10, 2024  
**NRF Contact** Evan Cobb



Norton Rose Fulbright Canada LLP  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto ON M5K 1E7  
Canada  
Tel: +1 416-216-4000  
Fax: +1 416-216-3930  
www.nortonrosefulbright.com  
GST/HST No. 111340006  
Accounts Contact:  
nrcreceivables@nortonrosefulbright.com

For the attention of: Nigel Meakin,  
Partner, Financial Advisory, Turnaround & Restructuring  
nmeakin@deloitte.ca

**ANTIBE THERAPEUTICS INC.**  
**Suite 300**  
**15 Prince Arthur Avenue**  
**Toronto ON M5R 1B2**

## Antibe Therapeutics Inc.

Professional Services Rendered to April 07, 2024

Charges  
CAD

### SUMMARY

Taxable Fees	7,215.00
Taxable Amount	7,215.00
HST 13.000%	937.95
<b>TOTAL AMOUNT DUE AND PAYABLE</b>	<b>CAD 8,152.95</b>

#### Payable in 30 days PAYMENT INFORMATION

Beneficiary: Norton Rose Fulbright Canada S.E.N.C.R.L., s.r./ LLP 1, Place Ville Marie, suite 2500 Montreal Quebec, CANADA H3B 1R1  
Bank information: RBC Financial Group, 1 Place Ville Marie, Montreal, Quebec, CANADA H3C 3B5, Bank 003, Transit 00001, ACC. No. 161-327-2, Swift Code # ROYCCAT2. Include invoice number on transfer order.

Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

<b>Invoice Date</b>	April 10, 2024	<b>Invoice Number</b>	9090651501
<b>Matter Number</b>	1001292367		
<b>Matter Description</b>	Antibe Therapeutics Inc.		

**TIME DETAILS**

<u>DATE</u>	<u>NAME</u>	<u>HOURS</u>	<u>DESCRIPTION</u>
03/15/2024	Cobb, E	0.50	Review and comment on Pre-Filing Report.
03/17/2024	Cobb, E	0.40	Reviewing and commenting on updated Pre-Filing Report.
03/30/2024	Cobb, E	1.20	Review of updated pre-filing report. Review of Creditor Notice. Review of Press Release.
03/31/2024	Cobb, E	0.60	Review and comment on post-filing document package.
04/01/2024	Cobb, E	1.50	Review of First Day Materials and Updated Press Releases.
04/02/2024	Cobb, E	2.00	Review of PRRR comments on Monitor's materials and communication materials. Emails regarding same. Reviewing and commenting on Affidavit in support of Initial Order.
04/05/2024	Cobb, E	1.20	Review of updated Initial Order Affidavit.
<b>Total</b>		<b>7.40</b>	

**TIME SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Partner</b>			
Cobb, E	7.40	975.00	7,215.00
<b>Total</b>		<b>7.40</b>	<b>7,215.00</b>

This invoice may include fees and disbursements of the member firms of Norton Rose Fulbright. Such fees and disbursements of member firms other than Norton Rose Fulbright Canada LLP are invoiced and collected by Norton Rose Fulbright Canada LLP as agent of the relevant member firm. Norton Rose Fulbright Canada LLP is a limited liability partnership established in Canada. Norton Rose Fulbright Canada LLP, Norton Rose Fulbright LLP, Norton Rose Fulbright Australia, Norton Rose Fulbright South Africa Inc. and Norton Rose Fulbright US LLP are separate legal entities and all of them are members of Norton Rose Fulbright, a Swiss Verein. Norton Rose Fulbright helps coordinate the activities of the members but does not itself provide legal services to clients. For more information, see [nortonrosefulbright.com](http://nortonrosefulbright.com).

# INVOICE

**Invoice Number** 9090653338  
**Matter Number** 1001292367  
**Invoice Date** April 16, 2024  
**NRF Contact** Evan Cobb



Norton Rose Fulbright Canada LLP  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto ON M5K 1E7  
Canada  
Tel: +1 416-216-4000  
Fax: +1 416-216-3930  
www.nortonrosefulbright.com  
GST/HST No. 111340006  
Accounts Contact:  
nrcreceivables@nortonrosefulbright.com

For the attention of: Nigel Meakin,  
Partner, Financial Advisory, Turnaround & Restructuring  
nmeakin@deloitte.ca

**ANTIBE THERAPEUTICS INC.**  
**Suite 300**  
**15 Prince Arthur Avenue**  
**Toronto ON M5R 1B2**

## Antibe Therapeutics Inc.

Professional Services Rendered to April 14, 2024

Charges  
CAD

### SUMMARY

Taxable Fees	17,905.00
Taxable Amount	17,905.00
HST 13.000%	2,327.65
<b>TOTAL AMOUNT DUE AND PAYABLE</b>	<b>CAD 20,232.65</b>

#### Payable in 30 days PAYMENT INFORMATION

Beneficiary: Norton Rose Fulbright Canada S.E.N.C.R.L., s.r./ LLP 1, Place Ville Marie, suite 2500 Montreal Quebec, CANADA H3B 1R1  
Bank information: RBC Financial Group, 1 Place Ville Marie, Montreal, Quebec, CANADA H3C 3B5, Bank 003, Transit 00001, ACC. No. 161-327-2, Swift Code # ROYCCAT2. Include invoice number on transfer order.

Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.



<b>Invoice Date</b>	April 16, 2024	<b>Invoice Number</b>	9090653338
<b>Matter Number</b>	1001292367		
<b>Matter Description</b>	Antibe Therapeutics Inc.		

**TIME DETAILS**

<u>DATE</u>	<u>NAME</u>	<u>HOURS</u>	<u>DESCRIPTION</u>
04/08/2024	Cobb, E	0.50	Attending to Service Matters.
04/08/2024	Cobb, E	4.20	Review of comments on Initial Order affidavit. Calls regarding status. Review of filing materials. Various email correspondence. Final review of Pre-filing Report.
04/09/2024	Cobb, E	1.00	Review and consider correspondence from Bennett Jones. Review and comment on NDA.
04/09/2024	Cobb, E	4.00	Review of final Factum. Preparation for Court Attendance. Conference call with Deloitte and Paliare Roland. Attendance at court. Reviewing constructive trust issues. Final review of Q&A.
04/10/2024	Cobb, E	4.90	Review of Endorsement and Order from April 9 Hearing. Discussion regarding NDA and information request. Emails regarding NDA. Review of Arbitration Award. Review of Constructive Trust issues. Review of background materials. Call with N. Meakin. Call with J. Mighton. Commenting on draft of First Report.
04/11/2024	Cobb, E	1.50	Email correspondence. Reviewing updated First Report. Reviewing and commenting on correspondence. Reviewing and commenting on updated ARIO.
04/12/2024	Cobb, E	1.00	Emails regarding NDA issues. Conference call with PRRR, Deloitte and E. Sellers. Coordinating searches.
04/12/2024	Tsetsos, M	0.40	Email communications regarding searches. Receiving and reviewing searches and forwarding same to E. Cobb.
04/13/2024	Cobb, E	1.10	Review of updated version of First Report and emails regarding same. Brief review of Motion Record.
<b>Total</b>		<b>18.60</b>	

**TIME SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Partner</b>			
Cobb, E	18.20	975.00	17,745.00

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**Invoice Date** April 16, 2024 **Invoice Number** 9090653338  
**Matter Number** 1001292367  
**Matter Description** Antibe Therapeutics Inc.

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Paralegal</b>			
Tsetsos, M	0.40	400.00	160.00
		<b>Sub Total</b>	<b>160.00</b>
<b>Total</b>		<b>18.60</b>	<b>17,905.00</b>

This invoice may include fees and disbursements of the member firms of Norton Rose Fulbright. Such fees and disbursements of member firms other than Norton Rose Fulbright Canada LLP are invoiced and collected by Norton Rose Fulbright Canada LLP as agent of the relevant member firm. Norton Rose Fulbright Canada LLP is a limited liability partnership established in Canada. Norton Rose Fulbright Canada LLP, Norton Rose Fulbright LLP, Norton Rose Fulbright Australia, Norton Rose Fulbright South Africa Inc. and Norton Rose Fulbright US LLP are separate legal entities and all of them are members of Norton Rose Fulbright, a Swiss Verein. Norton Rose Fulbright helps coordinate the activities of the members but does not itself provide legal services to clients. For more information, see [nortonrosefulbright.com](http://nortonrosefulbright.com).

# INVOICE

**Invoice Number** 9090654978  
**Matter Number** 1001292367  
**Invoice Date** April 22, 2024  
**NRF Contact** Evan Cobb

## **NORTON ROSE FULBRIGHT**38

Norton Rose Fulbright Canada LLP  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto ON M5K 1E7  
Canada  
Tel: +1 416-216-4000  
Fax: +1 416-216-3930  
www.nortonrosefulbright.com  
GST/HST No. 111340006  
Accounts Contact:  
nrcreceivables@nortonrosefulbright.com

For the attention of: Nigel Meakin,  
Partner, Financial Advisory, Turnaround & Restructuring  
nmeakin@deloitte.ca

**ANTIBE THERAPEUTICS INC.**  
**Suite 300**  
**15 Prince Arthur Avenue**  
**Toronto ON M5R 1B2**

### Antibe Therapeutics Inc.

Professional Services Rendered to April 21, 2024

Charges  
CAD

### SUMMARY

Taxable Fees	16,938.50
Taxable Disbursements	26.40
Taxable Amount	16,964.90
HST 13.000%	2,205.44
Non-Taxable Disbursements	8.00
<b>TOTAL AMOUNT DUE AND PAYABLE</b>	<b>CAD 19,178.34</b>

### Payable in 30 days PAYMENT INFORMATION

Beneficiary: Norton Rose Fulbright Canada S.E.N.C.R.L., s.r./ LLP 1, Place Ville Marie, suite 2500 Montreal Quebec, CANADA H3B 1R1  
Bank information: RBC Financial Group, 1 Place Ville Marie, Montreal, Quebec, CANADA H3C 3B5, Bank 003, Transit 00001, ACC. No. 161-327-2, Swift Code # ROYCCAT2. Include invoice number on transfer order.

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**Invoice Date** April 22, 2024 **Invoice Number** 9090654978  
**Matter Number** 1001292367  
**Matter Description** Antibe Therapeutics Inc.

**TIME DETAILS**

<u>DATE</u>	<u>NAME</u>	<u>HOURS</u>	<u>DESCRIPTION</u>
04/15/2024	Cobb, E	1.30	Preliminary review of Cross-Application Record.
04/15/2024	Cobb, E	0.60	Finalizing First Report and attending to service.
04/15/2024	Tsetsos, M	0.40	Receiving, reviewing and forwarding searches against Antibe Therapeutics Inc. to E. Cobb.
04/16/2024	Cobb, E	3.80	Calls with N. Meakin. Emails regarding service and filing issues. Conference calls with Applicants' counsel and with stakeholders regarding April 18th motion. Attending to court filing inquiries. Reviewing inquiries from Bennett Jones. Reviewing draft materials.
04/16/2024	Parent, K	0.70	Preparing affidavit of service for E. Cobb. Attending to filing of Report and updating CaseLines.
04/17/2024	Cobb, E	4.70	Review of affidavit. Conference call. Email correspondence coordinating matters with court. Review of Facta and emails regarding same. Review of responses to inquiries and emails regarding same. Considering questions regarding retention of assistants. Preparation for court attendance.
04/18/2024	Cobb, E	6.20	Prepare for and attend at come back hearing.
04/19/2024	Cobb, E	0.30	Review of responses to information inquiries.
<b>Total</b>		<b>18.00</b>	

**TIME SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Partner</b>			
Cobb, E	16.90	975.00	16,477.50
		<b>Sub Total</b>	<b>16,477.50</b>

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Paralegal</b>			

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<b>Invoice Date</b>	April 22, 2024	<b>Invoice Number</b>	9090654978
<b>Matter Number</b>	1001292367		
<b>Matter Description</b>	Antibe Therapeutics Inc.		

Parent, K	0.70	430.00	301.00
Tsetsos, M	0.40	400.00	160.00
		<b>Sub Total</b>	<b>461.00</b>
<b>Total</b>		<b>18.00</b>	<b>16,938.50</b>

**DISBURSEMENT SUMMARY**

<u>DESCRIPTION</u>	<u>QTY</u>	<u>AMOUNT</u>
<b>Montreal</b>		
<b>Non-Taxable</b>		
Registration Fee	1.00	8.00
<b>Taxable</b>		
Registration Fee	1.00	26.40
		<b>Sub Total</b>
		<b>34.40</b>
	<b>TOTAL</b>	<b>34.40</b>

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# INVOICE

**Invoice Number** 9090657959  
**Matter Number** 1001292367  
**Invoice Date** May 01, 2024  
**NRF Contact** Evan Cobb

## **NORTON ROSE FULBRIGHT**41

Norton Rose Fulbright Canada LLP  
222 Bay Street, Suite 3000, P.O. Box 53  
Toronto ON M5K 1E7  
Canada  
Tel: +1 416-216-4000  
Fax: +1 416-216-3930  
www.nortonrosefulbright.com  
GST/HST No. 111340006  
Accounts Contact:  
nrcreceivables@nortonrosefulbright.com

For the attention of: Nigel Meakin,  
Partner, Financial Advisory, Turnaround & Restructuring  
nmeakin@deloitte.ca

**ANTIBE THERAPEUTICS INC.**  
**Suite 300**  
**15 Prince Arthur Avenue**  
**Toronto ON M5R 1B2**

### **Antibe Therapeutics Inc.**

Professional Services Rendered to April 28, 2024

Charges  
CAD

### **SUMMARY**

Taxable Fees	3,627.50
Taxable Disbursements	51.05
Taxable Amount	3,678.55
HST 13.000%	478.21
<b>TOTAL AMOUNT DUE AND PAYABLE</b>	<b>CAD 4,156.76</b>

### Payable in 30 days PAYMENT INFORMATION

Beneficiary: Norton Rose Fulbright Canada S.E.N.C.R.L., s.r./ LLP 1, Place Ville Marie, suite 2500 Montreal Quebec, CANADA H3B 1R1  
Bank information: RBC Financial Group, 1 Place Ville Marie, Montreal, Quebec, CANADA H3C 3B5, Bank 003, Transit 00001, ACC. No. 161-327-2, Swift Code # ROYCCAT2. Include invoice number on transfer order.

Please be alert to the risks of cyber-crime and email impersonation attempts to redirect funds inappropriately. We will not under usual circumstances change our bank account details during the course of a transaction. Any communication which you receive advising otherwise could be fraudulent and should urgently be orally verified with your known contact at our firm, or a member of our Finance department.

<b>Invoice Date</b>	May 01, 2024	<b>Invoice Number</b>	9090657959
<b>Matter Number</b>	1001292367		
<b>Matter Description</b>	Antibe Therapeutics Inc.		

**TIME DETAILS**

<u>DATE</u>	<u>NAME</u>	<u>HOURS</u>	<u>DESCRIPTION</u>
04/23/2024	Cobb, E	1.20	Drafting CCAA Termination Order. Conference call with N. Meakin. Preparing court materials for Fee Approval and CCAA Termination.
04/24/2024	Cobb, E	0.50	Emails and calls regarding draft orders. Revising draft Termination Order.
04/25/2024	Cobb, E	0.70	Calls and emails regarding draft order.
04/26/2024	Cobb, E	1.10	Conference call with Receiver, Receiver's Counsel and Bennett Jones. Call with N. Meakin. Revisions to Order.
04/26/2024	Parent, K	0.50	Preparing fee affidavit. Reporting to E. Cobb.
<b>Total</b>		<b>4.00</b>	

**TIME SUMMARY**

<u>NAME</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<b>Partner</b>			
Cobb, E	3.50	975.00	3,412.50
		<b>Sub Total</b>	<b>3,412.50</b>
<b>Paralegal</b>			
Parent, K	0.50	430.00	215.00
		<b>Sub Total</b>	<b>215.00</b>
<b>Total</b>		<b>4.00</b>	<b>3,627.50</b>

**DISBURSEMENT SUMMARY**

<u>DESCRIPTION</u>	<u>QTY</u>	<u>AMOUNT</u>
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<b>Invoice Date</b>	May 01, 2024	<b>Invoice Number</b>	9090657959
<b>Matter Number</b>	1001292367		
<b>Matter Description</b>	Antibe Therapeutics Inc.		

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**Montreal****Taxable**

Registration Fee	1.00	51.05
	<b>Sub Total</b>	<b>51.05</b>
	<b>TOTAL</b>	<b>51.05</b>



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  
ANTIBE THERAPEUTICS INC.

Court File No. CV-24-00718083-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**AFFIDAVIT OF EVAN COBB  
(sworn May 3, 2024)**

**Norton Rose Fulbright Canada LLP**  
222 Bay Street, Suite 3000  
Toronto, Ontario M5K 1E7 CANADA

**Evan Cobb** LSO#: 55787N  
Tel: (416) 216-1929  
Fax: (416) 216-3930  
Email: [Evan.Cobb@nortonrosefulbright.com](mailto:Evan.Cobb@nortonrosefulbright.com)

Lawyers for the Monitor

**TAB 4**

Court File No. CV-24-00718083-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR.	)	MONDAY, THE 13 <sup>th</sup>
	)	
JUSTICE OSBORNE	)	DAY OF MAY, 2024

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF ANTIBE THERAPEUTICS INC.**

**Applicant**

**ORDER**

**THIS MOTION**, made by Deloitte Restructuring Inc. ("**Deloitte**"), for an Order approving the fees and expenses of Deloitte in its capacity as Monitor (the "**Monitor**") and the fees of its legal counsel, Norton Rose Fulbright Canada LLP was heard this day by judicial video conference via Zoom in Toronto, Ontario.

**ON READING** the Motion Record in respect of this motion, the affidavit of Nigel Meakin sworn May 3 2024 and the affidavit of Evan Cobb sworn May 3 2024 (collectively, the "**Fee Affidavits**") filed;

**AND UPON** hearing the submissions of counsel for the Monitor and those other parties present, no one else appearing although duly served as appears from the affidavit of service of Katie Parent sworn ●, 2024, filed,

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record herein is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that the fees and disbursements of Deloitte, in its capacity as Monitor, and its counsel, Norton Rose Fulbright Canada LLP, as described in the Fee Affidavits, are hereby approved.

3. **THIS COURT ORDERS** that the fees and disbursements of Deloitte to complete its remaining activities, estimated not to exceed \$10,000 (excluding taxes), inclusive of fees and disbursements of Norton Rose Fulbright Canada LLP, as described in the Affidavit of Nigel Meakin, sworn May 3, 2024, are hereby approved.

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body, having jurisdiction in Canada or elsewhere, to give effect to this Order and to assist the Monitor and/or its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Monitor, in each case as an 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 the Monitor and its agents in carrying out the terms of this Order.

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IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985,  
c. C-36, AS AMENDED

Court File No. CV-24-00718083-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
ANTIBE THERAPEUTICS INC.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**ORDER**

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Lawyers for the Monitor

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**MOTION RECORD**

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