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2101 14158 Feb 16, 2023

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APPLICANT PRICEWATERHOUSECOOPERS INC., INC.

CAPACITY AS COURT POSTED RECEIVER AND MANAGER OF BRIDGING FINANCE INC., BRIDGING INCOME FUND LP AND CERTAIN RELATED ENTITIES AND

INVESTMENT FUNDS

RESPONDENTS CUDA ENERGY INC., CUDA OIL AND GAS

INC., CUDA ENERGY LLC AND JUNEX INC.

DOCUMENT ORDER FOR FINAL DISTRIBUTION,

APPROVAL OF RECEIVER'S FEES AND

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

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS

DOCUMENT

BENNETT JONES LLP

Barristers and Solicitors 4500 Bankers Hall East 855 – 2nd Avenue S.W. Calgary, AB T2P 4K7

Attention: Chris Simard / Katherine J. Fisher Telephone No.: (403) 298-4485 /(780) 917-4268

Fax No.: (403) 265-7219 / (780) 421-7951

Email: <u>simardc@bennettjones.com</u> fisherka@bennettjones.com

DATE ON WHICH ORDER WAS PRONOUNCED: February 10, 2023
LOCATION OF HEARING: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: Justice K.M. Horner

UPON THE APPLICATION of FTI Consulting Canada Inc. in its capacity as the Courtappointed receiver and manager (the "**Receiver**") of all of the undertakings, property and assets of Cuda Energy Inc., Cuda Oil and Gas Inc., Cuda Energy LLC and Junex Inc. (the "Debtors") for an order authorizing an interim distribution of estate proceeds; AND UPON HAVING READ the Third Report of the Receiver dated January 30, 2023 (the "Third Report"); AND UPON HEARING the submissions of counsel for the Receiver and of other interested parties that may be present, and no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service, filed;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, 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.

APPROVAL OF RECEIVER'S ACTIVITIES

- 2. The Receiver's accounts for fees and disbursements, as set out in the Third Report, are hereby approved without the necessity of a formal passing of its accounts.
- 3. The accounts of the Receiver's legal counsel, Bennett Jones LLP, Markus Williams Young and Hunsciker LLP and Welborn Sullivan Meck & Tooley, P.C., for their respective fees and disbursements, as set out in the Third Report, are hereby approved without the necessity of a formal assessment of their accounts.
- 4. The Receiver's activities as set out in the Third Report are hereby ratified and approved.

FINAL DISTRIBUTION

- 5. The Receiver is hereby authorized and empowered to make the following final distribution, after the payment of professional fees and any other administrative costs:
 - a. a distribution to Bridging Finance Inc. (by its Court-appointed Receiver and Manager PricewaterhouseCoopers Inc.) ("**Bridging**") of up to \$200,000;

provided that the distribution Bridging shall be subject to reasonable holdbacks as the Receiver deems necessary for the payment of estimated priority payables and the administration of these proceedings. In the event that such holdbacks are no longer required, the Receiver is hereby authorized and empowered to distribute the remainder of such holdbacks to Bridging.

AUTHORIZATION TO BANKRUPT

6. The Receiver is hereby authorized to assign Cuda Energy Inc. into bankruptcy, on such date as is determined by the Receiver.

DISCHARGE OF THE RECEIVER

- 7. 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 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.
- 8. 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.
- 9. Upon the Receiver filing a certificate with this Court substantially in the form attached hereto as Schedule "A" (the "Receiver's Completion Certificate") confirming that:
 - (a) the distribution contemplated by paragraph 5 of this Order has been completed; and
 - (b) all administrative tasks and residual matters outlined in the Third Report necessary to complete the administration of these proceedings, including the payment of any incidental amounts, have been completed,

then the Receiver shall be discharged as Receiver, provided however, that notwithstanding its discharge herein, (i) 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 (ii) the Receiver shall continue to have the benefit of the provisions of all Orders made in these proceedings, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.

MISCELLANEOUS

- 10. The Receiver is hereby authorized to destroy the Cuda Group's corporate books and records if unclaimed by any of the current or former directors within 30 days of the Receiver providing such notice to them.
- 11. Notwithstanding the discharge of the Receiver, the Receiver is at liberty to apply for further advice, assistance and direction as may be necessary to give full force and effect to, and in carrying out the terms of, this Order and/or the Settlement Agreement.
- 12. This Order must be served only upon those interested parties attending or represented at the within Application and 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.
- 13. 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

SCHEDULE "A"

RECEIVER'S COMPLETION CERTIFICATE

Clerk's Stamp:	

COURT FILE NUMBER 2101-04670

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE OF CALGARY

APPLICANT PRICEWATERHOUSECOOPERS INC., IN ITS

CAPACITY AS COURT-APPOINTED RECEIVER AND MANAGER OF BRIDGING FINANCE INC., BRIDGING INCOME FUND LP AND CERTAIN RELATED ENTITIES AND INVESTMENT FUNDS

RESPONDENTS CUDA ENERGY INC., CUDA OIL AND GAS INC.,

CUDA ENERGY LLC AND JUNEX INC.

DOCUMENT RECEIVER'S COMPLETION CERTIFICATE

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF

PARTY FILING THIS DOCUMENT

BENNETT JONES LLP 4500 Bankers Hall East

855 2nd Street SW Calgary, AB T2P 4K7

Chris Simard/Sean Zweig/Joshua Foster

Telephone: 403.298.3100 Facsimile: 403.265.7219 Our file: 76142.12

Email: simardc@bennettjones.com

/zweigs@bennettjones.com/fosterj@bennettjones.com

This Receiver's Completion Certificate is the certificate referred to in paragraph 9 of the Order of the Honourable Justice K.M. Horner dated February 10, 2023 (the "**Order**"), in these proceedings (the "**Receivership Proceedings**"). Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Order.

FTI Consulting Canada Inc., in its capacity as the Court-appointed receiver and manager (the "Receiver") of the undertakings, property and assets of Cuda Energy Inc., Cuda Oil and Gas Inc., Cuda Energy LLC and Junex Inc., hereby certifies that:

(a)	all funds in the Receive	vership Proceedings were received and distributed as	
	described in the Third Re	eport;	
(b)	the Receiver has completed all other activities required to complete the administration of the Receivership Proceedings, including without limitation, all matters set out in Third Report and the distributions required under paragraph 5 of the Order.		
Dated:	, 2023	FTI CONSULTING CANADA INC., IN ITS CAPACITY AS THE COURT-APPOINTEIN RECEIVER AND MANAGER OF CUDA ENERGY INC., CUDA OIL AND GAS INC CUDA ENERGY LLC AND JUNEX INC.	
		Per: Name:	

Title: