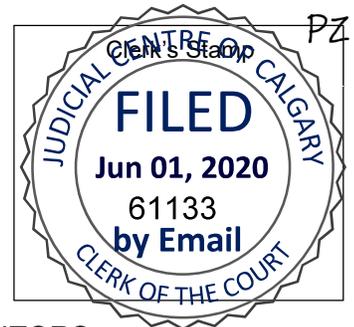


COURT FILE NUMBER 2001-05630  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY



APPLICANTS 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 DOMINION DIAMOND MINES ULC,  
DOMINION DIAMOND DELAWARE COMPANY LLC, DOMINION  
DIAMOND CANADA ULC, WASHINGTON DIAMOND  
INVESTMENTS, LLC, DOMINION DIAMOND HOLDINGS, LLC,  
AND DOMINION FINCO INC.

DOCUMENT **ORDER (Sealing)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
McCarthy Tétrault LLP  
4000, 421 – 7<sup>th</sup> Avenue SW  
Calgary, AB T2P 4K9  
Attention: Sean Collins / Walker W. MacLeod / Pantelis Kyriakakis  
Tel: 403-260-3531 / 3710 / 3536  
Fax: 403-260-3501  
Email: scollins@mccarthy.ca / wmacleod@mccarthy.ca / pkyriakakis@mccarthy.ca

**DATE ON WHICH ORDER WAS PRONOUNCED:** May 29, 2020  
**NAME OF JUDGE WHO MADE THIS ORDER:** Justice K.M. Eidsvik  
**LOCATION OF HEARING:** Calgary, Alberta

**UPON** the application (the "**Application**") of Diavik Diamond Mines (2012) Inc. ("**DDMI**"); **AND UPON** having read the Supplemental Affidavit of Thomas Croese, sworn on May 7, 2020 (the "**Supplemental Croese Affidavit**") and the Affidavit #2 of Thomas Croese, sworn on May 28, 2020 (the "**Croese Affidavit**"), filed; **AND UPON** having read the Confidential Exhibits "1", "2", "3", and "4" to the Supplemental Croese Affidavit and Confidential Exhibit "A" and Confidential Exhibit "B" to the Croese Affidavit (collectively, the "**Confidential Exhibits**"), unfiled; **AND UPON** having read the Affidavit of Service of Katie Doran (the "**Service Affidavit**"), to be filed; **AND UPON** hearing counsel for DDMI and any other counsel present;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

1. The time for service of the Application, the Supplemental Croese Affidavit, and the Croese Affidavit is abridged, the Application is properly returnable today, service of the Application, the Supplemental Croese Affidavit, and the Croese Affidavit on the service list, in the manner described in the Service Affidavit, is good and sufficient, and no other persons, other than those listed on the service list (the “**Service List**”), are entitled to service of the Application, the Supplemental Croese Affidavit, or the Croese Affidavit.
2. Any and all capitalized terms used herein and not otherwise defined shall have the meaning ascribed to such terms in the Supplemental Croese Affidavit and the Croese Affidavit, as applicable.
3. Part 6, Division 4 of the *Alberta Rules of Court* does not apply to the Application and the Clerk of the Court is hereby directed to seal the Confidential Exhibits, on the Court file until the completion of all abandonment and reclamation obligations at the Diavik Mine. The Confidential Exhibits shall be sealed and filed in an envelope containing the following endorsement thereon:

THIS ENVELOPE CONTAINS THE CONFIDENTIAL EXHIBITS TO THE SUPPLEMENTAL AFFIDAVIT OF THOMAS CROESE, SWORN ON MAY 7, 2020 AND THE AFFIDAVIT #2 OF THOMAS CROESE, SWORN ON MAY 28, 2020. THE CONFIDENTIAL EXHIBITS TO THE SUPPLEMENTAL AFFIDAVIT OF THOMAS CROESE, SWORN ON MAY 7, 2020 AND THE AFFIDAVIT #2 OF THOMAS CROESE, SWORN ON MAY 28, 2020 ARE SEALED PURSUANT TO AN ORDER ISSUED BY THE HONOURABLE JUSTICE K.M. EIDSVIK, DATED MAY 29, 2020, AND IS NOT TO BE PLACED ON THE PUBLIC RECORD OR MADE PUBLICALLY ACCESSIBLE.

4. Any persons may apply, on reasonable notice to DDMI and any other persons likely to be affected, to vary or amend the terms of paragraph 3 of 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 service on any other person is hereby dispensed with.

6. Service of this Order shall be deemed good and sufficient by serving the same in accordance with the procedures in the CaseLines Service Order granted May 29, 2020 in these proceedings.

  
\_\_\_\_\_  
J.C.C.Q.B.A.