

**SUPREME COURT OF NOVA SCOTIA**

**IN THE MATTER OF:**        **Application by IMV Inc., Immunovaccine Technologies Inc.  
and IMV USA Inc. (the “Applicants”), for relief under the  
*Companies’ Creditors Arrangement Act***

**ORDER  
(Extension and Approval of Sixth Report and Monitor’s Activities)**

Before the Honourable Justice John P. Bodurtha in chambers:

The Applicants propose to make a compromise or arrangement under the *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the “**CCAA**”) and were granted the Initial Order dated May 1, 2023, which, among other things, appointed FTI Consulting Canada Inc. as Monitor of the Applicants (the “**Monitor**”), and, now or in the future, the Monitor applies for other relief under the CCAA as may be sought on notice of motion.

The following parties received notice of this application: see attached at Schedule “A”.

The following parties, represented by the following counsel, made submissions:

<u>Party</u>	<u>Counsel</u>
FTI Consulting Canada Inc., the Monitor	<b>Stikeman Elliott LLP</b> Maria Konyukhova Natasha Rambaran
Applicants	<b>McCarthy Tetrault LLP</b> Alain N. Tardif Gabriel Faure François Alexandre Toupin
Horizon Technology Finance Corporation, as agent	<b>Aird &amp; Berlis LLP</b> Miranda Spence Kyle Plunkett

On the motion by the Monitor, the following is ordered:

## **Service and Definitions**

1. The service of the Notice of Motion, the Sixth Report of the Monitor dated October 20, 2023 (the “**Sixth Report**”) and the supporting documents, as set out in the affidavit of service, is hereby abridged and validated so that this Motion is properly returnable today and further service thereof is hereby dispensed with.
2. Service of this Order is permitted at any time and place and by any means whatsoever.
3. All capitalized terms used in this Order and not otherwise defined herein shall have the meanings ascribed to them in the Amended and Restated Initial Order issued on May 5, 2023 (as further amended on September 27, 2023, the “**Amended and Restated Initial Order**”) in these CCAA proceedings.

## **Effective Time**

4. This Order and all of its provisions are effective as of 12:01 a.m. (Halifax time) on the date of this Order.

## **Extension of the Stay Period**

5. The Stay Period and the application of the Amended and Restated Initial Order is extended until and including December 1, 2023.

## **Approval of the Sixth Report and the Monitor’s Activities**

6. The Sixth Report and the activities of the Monitor up to the date of this Order are hereby approved.
7. The Monitor has fulfilled its obligations pursuant to the CCAA and the orders of the Court until and including the date of this Order.

## **General**

8. This Order and all other orders in these proceedings shall have full force and effect in all provinces and territories in Canada.
9. The aid and recognition of any Court, tribunal, regulatory or administrative body in Canada, the United States of America or elsewhere, to give effect to this Order and to assist the Applicants, the Monitor and their respective 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 Applicants and the Monitor as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor or the authorized representative of the Applicants in any foreign proceeding, to assist the Applicants and the Monitor, and to act in aid of and to be complementary to this Court, in

carrying out the terms of this Order.

10. Each of the Applicants and the Monitor may apply to any court, tribunal, or regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and the Monitor may act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

Issued \_\_\_\_\_, 2023

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Prothonotary