

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

THE HONOURABLE.	)	WEDNESDAY, THE 29TH
	)	
JUSTICE OSBORNE	)	DAY OF JANUARY, 2025

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 14487893 CANADA INC.

APPLICANT

**ORDER**  
**(CCAA Termination and Omnibus Relief)**

**THIS MOTION**, made by FTI Consulting Canada Inc., in its capacity as Court-appointed Monitor of the Applicant (in such capacity, the “**Monitor**”), pursuant to the *Companies’ Creditors Arrangement Act*, R.S.C., 1985, c. C-36, as amended (the “**CCAA**”) for an Order, *inter alia*, (i) approving the activities, conduct and reports of the Monitor including the Seventeenth Report of the Monitor dated August 30, 2024 (the “**Seventeenth Report**”) and the Eighteenth Report of the Monitor dated January 23, 2025 (the “**Eighteenth Report**”), (ii) approving the fees and disbursements of the Monitor and Thornton Grout Finnigan LLP as legal counsel to the Monitor (“**Monitor’s Counsel**”), as described in the Eighteenth Report and the affidavits attached thereto sworn in support thereof, (iii) upon the Monitor serving a certificate substantially in the form attached as Schedule “A” hereto (the “**CCAA Termination Certificate**”) confirming that the Uncontentious Outcome (as defined in the CCAA Termination Certificate and as described in the Eighteenth Report) has occurred, terminating these CCAA proceedings, discharging the Monitor and granting related relief, and (iv) extending the Stay Period until the earlier of the CCAA Termination Time (as defined below) and January 31, 2026, was heard this day by judicial video-conference via Zoom in Toronto, Ontario.

**ON READING** the Notice of Motion of the Monitor, the Eighteenth Report, the fee affidavits of Jim Robinson sworn January 23, 2025 and Puya Fesharaki sworn January 22, 2025, and on hearing the submissions of Monitor’s Counsel and such other counsel that were present, no

one else appearing for any party although duly served as appears from the affidavit of service of Dannallyn Salita dated January 23, 2025.

### **SERVICE AND DEFINITIONS**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record 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 capitalized terms used in this Order and not otherwise defined herein shall have the meanings ascribed to them in the Eighteenth Report.

### **APPROVAL OF MONITOR'S REPORTS AND ACTIVITIES**

3. **THIS COURT ORDERS** that the Seventeenth Report and the Eighteenth Report are hereby approved, and the activities, conduct and decisions of the Monitor set out therein are hereby ratified and approved, provided that only the Monitor, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

### **APPROVAL OF FEES AND DISBURSEMENTS**

4. **THIS COURT ORDERS** that that the fees and disbursements of the Monitor for the period from December 17, 2022 to December 31, 2024, all as set out in the affidavit of Jim Robinson sworn January 23, 2025, are hereby approved.

5. **THIS COURT ORDERS** that the fees and disbursements of the Monitor's Counsel, for the period December 17, 2022 to December 31, 2024 as set out in the affidavit of Puya Fesharaki sworn January 22, 2025, are hereby approved.

6. **THIS COURT ORDERS** that the fees and disbursements of the Monitor and Monitor's Counsel, estimated not to exceed the balance of the Administrative Reserve in aggregate, for the completion of remaining activities in connection with these CCAA proceedings, are hereby approved.

### **TERMINATION OF CCAA PROCEEDINGS AND RELEASE OF BALANCE OF ADMINISTRATIVE RESERVE**

7. **THIS COURT ORDERS** that, should the Uncontentious Outcome (as defined in the

CCAA Termination Certificate) occur, upon service by the Monitor of an executed CCAA Termination Certificate on the service list in these CCAA proceedings (the “**Service List**”) certifying that, to the knowledge of the Monitor, all matters to be attended to in connection with these CCAA proceedings have been completed, these CCAA proceedings shall be terminated without any further act or formality (the “**CCAA Termination Time**”), save and except as provided in this Order, and provided that nothing herein impacts the validity of any Orders made in these CCAA proceedings or any action or steps taken by any Person pursuant thereto.

8. **THIS COURT ORDERS** that immediately prior to the CCAA Termination Time, the Monitor shall release any unused portion of the Administrative Reserve to Just Energy, net of any and all professional fees and costs permitted to be deducted therefrom, all in accordance with the Approval and Vesting Order granted by this Court dated November 2, 2022, provided the Monitor shall not incur any liability as result of releasing the unused portion of the Administrative Reserve.

9. **THIS COURT ORDERS** that the Monitor is hereby directed to file a copy of the CCAA Termination Certificate with the Court as soon as is practicable following the service thereof on the Service List.

10. **THIS COURT ORDERS** that any charges granted by the Court in these CCAA proceedings (collectively, the “**Charges**”) shall be terminated, released and discharged as of the CCAA Termination Time without any further act or formality.

#### **DISCHARGE OF THE MONITOR**

11. **THIS COURT ORDERS** that effective as at the CCAA Termination Time, FTI shall be and is hereby discharged from its duties as the Monitor and shall have no further duties, obligations or responsibilities as Monitor from and after the CCAA Termination Time, provided that, notwithstanding its discharge as Monitor, FTI shall have the authority to carry out, complete or address any matters in its role as Monitor that are ancillary or incidental to these CCAA proceedings following the CCAA Termination Time, as may be required, including, without limitation, as contemplated by Monitor’s Enhanced Powers Order dated November 3, 2022 (the “**Monitor Incidental Matters**”).

12. **THIS COURT ORDERS** that, notwithstanding any provision of this Order, the Monitor’s discharge or the termination of these CCAA proceedings, nothing herein shall affect, vary, derogate from, limit or amend, and the Monitor shall continue to have the benefit of, all of the

rights, approvals and protections in favour of the Monitor at law or pursuant to the CCAA, the Initial Order, the Monitor's Enhanced Powers Order, any other Order of this Court in these CCAA proceedings or otherwise, all of which are expressly continued and confirmed following the CCAA Termination Time, including in connection with any Monitor Incidental Matters and other actions taken by the Monitor following the CCAA Termination Time with respect to the Applicant or these CCAA proceedings.

13. **THIS COURT ORDERS** that no action or other proceeding shall be commenced against the Monitor in any way arising from or related to its capacity or conduct as Monitor except with prior leave of this Court on not less than fifteen (15) business days prior written notice to the Monitor.

#### **EXTENSION OF THE STAY PERIOD**

14. **THIS COURT ORDERS** that the Stay Period be and is hereby extended to and including the earlier of (i) the CCAA Termination Time, and (ii) January 31, 2026.

#### **GENERAL**

15. **THIS COURT ORDERS** that the Monitor may apply to the Court as necessary to seek further orders and directions to give effect to this Order.

16. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada.

17. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal and regulatory or administrative bodies, having jurisdiction in Canada or in any other foreign jurisdiction, to give effect to this Order and to assist the Applicant and the Monitor, and their respective agents in carrying out the terms of this Order. All courts, tribunals and regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicant and the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.

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**SCHEDULE “A”  
FORM OF CCAA TERMINATION CERTIFICATE**

Court File No. CV-21-00673304-00CL

***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  
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APPLICANT

**CCAA TERMINATION CERTIFICATE**

**RECITALS**

1. Pursuant to an Order of this Court dated January 29, 2025 (the “**CCAA Termination and Omnibus Order**”), among other things, FTI Consulting Canada Inc. (“**FTI**”) shall be discharged as the Monitor and the CCAA proceedings shall be terminated if the following has occurred: (a) the Barbadian Entity has been bankrupted, and (b) the motion for leave to appeal the September 20, 2024 decision of Justice Cavanagh in the within proceedings to the Court of Appeal for Ontario by the proposed appellant and representative plaintiff, Haidar Omarali is denied (collectively, the “**Uncontentious Outcome**”), upon service of this CCAA Termination Certificate on the service list in these CCAA proceedings, all in accordance with the terms of the CCAA Termination and Omnibus Order.
2. Unless otherwise indicated herein, capitalized terms used in this CCAA Termination Certificate shall have the meaning given to them in the Initial Order, the CCAA Termination and Omnibus Order or the Eighteenth Report of the Monitor dated January 23, 2025, as applicable.

**THE MONITOR CERTIFIES** the following:

1. The Uncontentious Outcome has occurred.
2. To the knowledge of the Monitor, all other matters to be attended to in connection with the within CCAA proceedings have been completed.

**ACCORDINGLY**, the CCAA Termination Time as defined in the CCAA Termination and Omnibus Order has occurred.

**DATED** at Toronto, Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**FTI CONSULTING CANADA INC.**  
solely in its capacity as Court-appointed  
Monitor of the Applicant, and not in its  
personal or corporate capacity

Per: \_\_\_\_\_  
[Insert Name]  
[Insert Title]

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 **14487893 CANADA INC.**

Court File No. CV-21-00658423-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceedings commenced at Toronto

**CCAA TERMINATION AND OMNIBUS ORDER**

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