

COURT FILE NUMBER 2503 00016  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE EDMONTON

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 KMC MINING  
CORPORATION

DOCUMENT **SUPPLEMENTAL REPORT TO THE SEVENTH  
REPORT OF FTI CONSULTING CANADA INC., IN  
ITS CAPACITY AS MONITOR OF KMC MINING  
CORPORATION**

**May 14, 2026**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS  
DOCUMENT

**MONITOR**

FTI Consulting Canada Inc.  
Suite 1610, 520 - 5th Ave S.W.  
Calgary, AB T2P 3R7  
Dustin Olver / Lindsay Shierman  
Telephone: (403) 454-6032 / (403) 464-6036  
Fax: (403) 232-6116  
E-mail: dustin.olver@fticonsulting.com  
E-mail: lindsay.shierman@fticonsulting.com

**COUNSEL**

MLT Aikins LLP  
Suite 2100, Livingston Place  
222 3<sup>rd</sup> Avenue S.W.  
Calgary, AB T2P 0B4  
Ryan Zahara  
Telephone: (403) 693-5420  
E-mail: rzahara@mltaikins.com

**SUPPLEMENTAL REPORT TO THE  
SEVENTH REPORT OF THE MONITOR**

**Table of Contents**

INTRODUCTION ..... 3  
TERMS OF REFERENCE ..... 3  
WRITTEN INTERROGATORIES..... 4

Appendix “A” – Written Interrogatories

## INTRODUCTION

1. The purpose of this Supplement to the Seventh Report of the Monitor (the “**Supplemental Report**”) is to provide this Honourable Court with the Monitor’s response to certain Written Interrogatories (attached as Appendix “A”) received on May 13, 2026 from Blake, Cassels & Graydon LLP (“**Suncor’s Counsel**”) as counsel to Suncor Energy Services Inc. (“**Suncor**”).
2. This Supplemental Report should be read in conjunction with the Seventh Report and all capitalized terms used, unless defined herein, are as defined in the Seventh Report.

## TERMS OF REFERENCE

3. In preparing this Supplemental Report, the Monitor has relied upon audited and unaudited financial information, other information available to the Monitor and, where appropriate, the Company’s books and records and discussions with various parties (collectively, the “**Information**”).
4. Except as described in this Supplemental Report:
  - (a) The Monitor has not audited, reviewed or otherwise attempted to verify the accuracy or completeness of the Information in a manner that would comply with Generally Accepted Assurance Standards pursuant to the Chartered Professional Accountants of Canada Handbook;
  - (b) The Monitor has not examined or reviewed financial forecasts and projections referred to in this report in a manner that would comply with the procedures described in the Chartered Professional Accountants of Canada Handbook; and
  - (c) Future oriented financial information reported or relied on in preparing this Confidential Supplemental Report is based on assumptions regarding future events; actual results may vary from forecast and such variations may be material.

5. Future oriented financial information reported or relied on in preparing this Supplemental Report is based on assumptions regarding future events. Actual results may vary from forecasts and such variations may be material.
6. Unless otherwise stated, all monetary amounts contained herein are expressed in Canadian Dollars.

## **WRITTEN INTERROGATORIES**

7. The Monitor is providing the following information as it relates to the questions asked under the Written Interrogatories:
  - (a) Any advice or information with respect to the actions or activities of the senior secured lenders should be sought from and directed directly to the senior secured lenders. The Monitor's role is not to provide information about individual creditors to other creditors/stakeholders of KMC and the Monitor does not believe the information requested is relevant to the Application currently before the Court to enhance the Monitor's powers as they relate to KMC;
  - (b) "Phase 1" relates to the litigation steps to be undertaken if the engagement of MLT Aikins LLP by the Monitor is approved and relates to actions to be taken specifically in respect of the Suncor Claim;
  - (c) The "solicitor-client privileged information" contained in the Litigation Services Agreement relates to the specific terms of the Litigation Services Agreement that deal with the carriage of the litigation and the terms of the retainer of MLT Aikins LLP to act as litigation counsel in respect of the Suncor Claim; and
  - (d) The Secured Lenders have advised their current outstanding indebtedness as of the date of this Report is approximately \$41.8 million, including accrued interest.

\*\*\*\*\*

All of which is respectfully submitted this 14<sup>th</sup> day of May 2026.

FTI Consulting Canada Inc.  
Licensed Insolvency Trustee  
in its capacity as Monitor of  
KMC Mining Corporation and not in its personal  
or corporate capacity

A handwritten signature in black ink, appearing to read "Dustin Oliver", written over a horizontal line.

Dustin Oliver, CPA, CA, CIRP, LIT  
Senior Managing Director,  
FTI Consulting Canada Inc.

**Appendix “A” –**

**Written Interrogatories**

COURT FILE NUMBER 2503-00016

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

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

AND IN THE MATTER OF KMC MINING CORPORATION

DOCUMENT **WRITTEN INTERROGATORIES TO FTI CONSULTING CANADA INC. ON REPORTS OF THE MONITOR**

PARTY FILING THIS DOCUMENT **SUNCOR ENERGY SERVICES INC.**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **BLAKE, CASSELS & GRAYDON LLP**  
3500, 855 – 2nd Street S.W.  
Calgary, AB T2P 4J8

Attention: Kelly Bourassa, KC / Angad Bedi  
Telephone: 403-260-9697 / 403-260-9703  
Facsimile: 403-260-9700  
Email: [kelly.bourassa@blakes.com](mailto:kelly.bourassa@blakes.com) / [angad.bedi@blakes.com](mailto:angad.bedi@blakes.com)

File Ref.: 83862/307

Set out below are written interrogatories to FTI Consulting Canada Inc., in its capacity as Monitor (the “**Monitor**”), of KMC Mining Corporation with respect to the Fourth Report of the Monitor dated July 22, 2025 (the “**Fourth Report**”) and the Seventh Report of the Monitor dated May 11, 2026 (the “**Seventh Report**”). Capitalized terms used and not otherwise defined herein have the meanings given to them in the Fourth Report or the Seventh Report, as applicable.

1. With respect to the Eighth Cash Flow Statement and the Monitor’s discussion of same in the Seventh Report:
  - (a) Please advise whether any senior secured lender has indicated that it intends to opt-in to the Suncor Claim litigation.
  - (b) Please advise whether any senior secured lender has indicated that it intends to opt-out of the Suncor Claim litigation;

- (c) Please advise whether any senior secured lender that opts out of the Suncor Claim litigation will have any interest in the Suncor Claim litigation, including recoveries, if any; and
  - (d) Please advise what is meant by “Phase 1” in Note 7 of the Eighth Cash Flow Statement and what it entails.
- 2. With respect to the approval of the Litigation Services Agreement and sealing order sought:
  - (a) Please advise as to the nature of the Litigation Services Agreement including the specific categories of the “solicitor-client privileged information” contained therein, which give rise to the request for a sealing order.
- 3. With respect to the statement in the Fourth Report regarding the “loss position” of the Secured Lenders:
  - (a) Please advise as to the current outstanding indebtedness of KMC to the Secured Lenders.

Dated this 13<sup>th</sup> day of May, 2026.