

COURT FILE NUMBER 2401-02664

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, as amended

AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF LYNX AIR HOLDINGS CORPORATION and 1263343 ALBERTA INC. dba LYNX AIR

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **OSLER, HOSKIN & HARCOURT LLP**
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File Number: 1246361

DATE ON WHICH ORDER WAS PRONOUNCED: April 2, 2024

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

JUSTICE WHO MADE THIS ORDER: The Honourable Justice Sidnell

UPON THE APPLICATION of Lynx Air Holdings Corporation and 1263343 Alberta Inc. dba Lynx Air (the "**Applicants**"); **AND UPON** having read the Application, the agreement dated March 21, 2024 between The Boeing Company ("**Boeing**") and the Applicants (the "**Termination Agreement**"), the Confidential Affidavit of Michael Woodward sworn February 22, 2024, the Affidavit of Michael Woodward sworn March 25, 2024, and the Confidential Affidavit of Michael Woodward sworn March 25, 2024; **AND UPON** reading the Second Report of FTI Consulting Canada Inc. in its capacity as monitor of the Applicants (the "**Monitor**"), filed March 27, 2024 and the Confidential Supplement to the Second Report of the Monitor dated March 27, 2024; **AND UPON** hearing the submissions of counsel for the Applicants, counsel for Boeing,

counsel for the Monitor, and counsel for any other party present at the application; **AND UPON** reviewing the initial order granted in the within proceedings pursuant to the *Companies' Creditors Arrangement Act (Canada)*, R.S.C. 1985, c. C-36, as amended by the Honourable Justice Gill on February 22, 2024 and the amended and restated initial order granted by the Honourable Justice Whitling on March 1, 2024 (the “**ARIO**”);

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

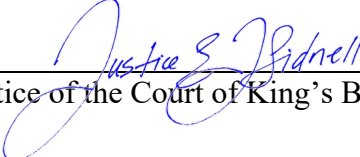
1. The time for service of this application is hereby abridged and deemed good and sufficient and this application is properly returnable today, and no other person other than those persons served is entitled to service of this application.

APPROVAL OF THE TERMINATION AGREEMENT

2. The Termination Agreement is hereby approved, and the execution of the Termination Agreement by the Applicants is hereby authorized and approved, with such minor amendments as the Applicants, with the consent of the Monitor, may deem necessary.
3. The Applicants and Boeing are hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable, with the consent of the Monitor, for the completion of the transaction contemplated by the Termination Agreement.

MISCELLANEOUS

4. 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.


Justice of the Court of King's Bench of Alberta