

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**
(Restricted Court Access 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: May 21, 2024
JUSTICE WHO MADE THIS ORDER: The Honourable Justice Mah
LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta

UPON THE APPLICATION of Lynx Air Holdings Corporation and 1263343 Alberta Inc. dba Lynx Air (the "**Applicants**"); **AND UPON** having read the Application, the Affidavit of Michael Woodward sworn February 22, 2024, the Affidavit of Michael Woodward sworn March 25, 2024, the Affidavit of Michael Woodward sworn May 13, 2024, and the Confidential Affidavit of Michael Woodward sworn May 13, 2024 (the "**Confidential Woodward Affidavit**"); **AND UPON** reading the Fourth Report of FTI Consulting Canada Inc. in its capacity as monitor of the Applicants (the "**Monitor**"), to be filed; **AND UPON** hearing the submissions of counsel for the Applicants, counsel for the Monitor, counsel for BOCA Aviation (Cayman) Limited ("**BOCA**"),

counsel for AERO3 Inc. (“**AERO**”), 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;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Subject to further Order of this Honourable Court, the Confidential Woodward Affidavit shall be sealed on the Court file and shall not form part of the public record, notwithstanding Division 4, Part 6 of the *Alberta Rules of Court*, until 30 days after the filing of both Monitor’s Certificates indicating the close of the sale of the Purchased Assets (as such term is respectively defined in the AERO Approval and Vesting Order dated May 21, 2024 and the BOCA Approval and Vesting Order dated May 21, 2024), unless and until an application is made to modify or vary this Order.
2. The Clerk of this Honourable Court shall file the Confidential Woodward Affidavit in a sealed envelope, and the Confidential Woodward Affidavit and envelope shall each have attached to them a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED
BY LYNX AIR HOLDINGS CORPORATION AND 1263343 ALBERTA
INC. DBA LYNX AIR WHICH IS SEALED PURSUANT TO THE
RESTRICTED COURT ACCESS ORDER ISSUED BY THE
HONOURABLE JUSTICE MAH ON MAY 21, 2024.
3. Leave is hereby granted to any person, entity or party affected by this Order to apply to this Court for a further Order vacating, substituting, modifying, or varying the terms of this Order, with such application to be brought on notice to the Applicants, BOCA, AERO, and the Monitor.


Justice of the Alberta Court of King’s Bench