

No. S-238572
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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 AND ARRANGEMENT OF
MYRA FALLS MINE LTD.

PETITIONER

ORDER MADE AFTER APPLICATION

(Stay Extension and DIP Increase)

BEFORE THE HONOURABLE)	
JUSTICE FITZPATRICK)	APRIL 3, 2025
)	

THE APPLICATION OF the Petitioner, coming on for hearing before me at the courthouse at 800 Smithe Street, Vancouver, British Columbia, on the 3rd day of April, 2025; AND ON HEARING Jonathan B. Ross, counsel for the Petitioner and those other counsel listed on **Schedule "A"** hereto, and no one else appearing although duly served, AND UPON READING the materials filed, including the Affidavit #9 of Hein Frey, affirmed March 31, 2025 (the "**Frey Affidavit #9**"), and the Seventh Report of FTI Consulting Canada Inc. (in its capacity as court-appointed monitor of the Petitioner, the "**Monitor**") dated April 1, 2025; AND PURSUANT TO the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36 as amended (the "**CCAA**"), the *British Columbia Supreme Court Civil Rules*, and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES THAT:

SERVICE AND DEFINITIONS

1. The time for service of the Notice of Application for this order and the supporting materials is hereby abridged such that the Notice of Application is properly returnable today and the need for any further service thereof is hereby dispensed with.

2. Capitalized terms used in this Order and not otherwise defined herein shall have the meaning given to them in the amended and restated initial order granted in these proceedings by the Honourable Justice Fitzpatrick dated December 28, 2023 (the “**ARIO**”) or the Frey Affidavit #9.

STAY EXTENSION

3. The Stay Period is hereby continued and extended to and including July 31, 2025.

AMENDMENT TO DIP TERM SHEET AND INCREASE IN INTERIM LENDER'S CHARGE

4. The Petitioner is hereby authorized and empowered to borrow up to an additional \$8 million for an aggregate principal amount of \$45 million pursuant to the DIP Term Sheet (as amended, including pursuant to the Fifth DIP Amendment, the “**Amended DIP Term Sheet**”).

5. The Interim Lender shall be entitled to the benefit of the Interim Lender's Charge provided for in the ARIO to secure amounts advanced under the Amended DIP Term Sheet. The Interim Lender's Charge shall be increased to the maximum amount of \$45 million (plus accrued and unpaid interest, fees and expenses).

6. The Interim Lender's Charge, as amended herein, shall continue to have the priority set out in paragraphs 40 and 42 of the ARIO.

GENERAL

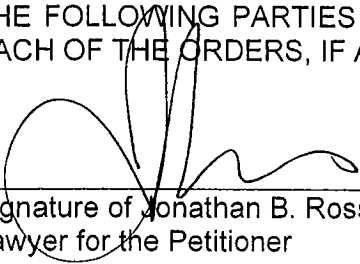
7. Endorsement of this order by counsel appearing on this application other than counsel for the Petitioner is hereby dispensed with.

8. This order and all of its provisions are effective as of 12:01 a.m. local Vancouver time on the date this order is made.

THIS COURT REQUESTS the aid and recognition of other Canadian and foreign Courts, tribunal, regulatory or administrative bodies, including any Court or administrative tribunal of any federal or State Court or administrative body in the United States of America, to act in aid of and to be complementary to this Court in carrying out the terms of this order where required. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Petitioner and to the Monitor, as an officer of

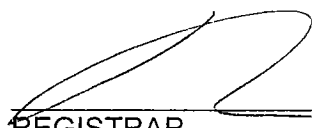
this Court, as may be necessary or desirable to give effect to this order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Petitioner and the Monitor and their respective agents in carrying out the terms of this order.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Jonathan B. Ross
Lawyer for the Petitioner

BY THE COURT



REGISTRAR

Schedule "A"

LIST OF COUNSEL

COUNSEL NAME	PARTY REPRESENTED
Manuel Dominguez & Virginia Gauthier	Petitioner
Peter Rubin	Monitor
Jordan Schultz	Thyssen Mining Construction of Canada Ltd.
Scott Turner	WSP Canada Inc.
Cindy Cheuk	Province of BC
Raashi Ahluwalia	UNIFOR Local 3019
Benjamin Lorimer	Sonepar Canada Inc., Frontline Machinery Ltd., and Heidelberg Materials Canada Limited.

No. S-238572
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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 AND
ARRANGEMENT OF MYRA FALLS MINE LTD.

PETITIONER

ORDER
(STAY EXTENSION AND DIP INCREASE)

GOWLING WLG (CANADA) LLP

Barristers & Solicitors

Bentall 5, Suite 2300,

550 Burrard Street

Vancouver, BC V6C 2B5

Attention: Jonathan B. Ross

Tel: 604.683.6498

Fax: 604.683.3558

File No. A172589

MD/msh