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 2750361 ALBERTA INC.

PETITIONER

NINTH REPORT OF THE MONITOR

August 27, 2026

FTI CONSULTING

NINTH REPORT OF THE MONITOR

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INTRODUCTION

1. On December 18, 2023, Myra Falls Mine Ltd. ("**MFM**" or the "**Petitioner**") was granted an initial order (the "**Initial Order**") under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**") in the Supreme Court of British Columbia Action No. S-238572, Vancouver Registry (the "**CCAA Proceedings**").

2. The Initial Order provided for, among other things:

    a. a stay of proceedings with respect to the Petitioner (the "**Stay of Proceedings**") until December 28, 2023;

    b. the appointment of FTI Consulting Canada Inc. ("**FTI**") as Monitor of the Petitioner (the "**Monitor**");

    c. the approval of an interim financing facility to be advanced by Trafigura US Inc. (the "**Interim Lender**") in an amount not to exceed $4.0 million as an initial advance;

    d. certain priority charges against the property of the Petitioner (the "**Court-Ordered Charges**"); and

    e. the authorization for MFM to pay two additional weeks of wages or salaries to terminated or temporarily laid off employees on the pay cycle following their termination or temporary layoff.

3. On December 28, 2023, the Petitioner was granted an amended and restated initial order (the "**ARIO**"), which, among other things:

    a. extended the Stay of Proceedings to February 29, 2024;

    b. increased the amounts of the Court-Ordered Charges;

c. granted the Court-Ordered Charges priority ahead of secured creditors pursuant to ss. 11.2(2), 11.51(2) and 11.52(2) of the CCAA;

d. authorized the Petitioner to borrow up to $21.0 million from the Interim Lender, being the full principal amount available under the interim financing facility (the "**DIP Facility**"), together with a corresponding increase in the amount of the charge securing the DIP Facility (the "**Interim Lender's Charge**"); and

e. authorized the Petitioner to make certain payments, at its discretion, to terminated or temporarily laid off employees of a further six weeks of salary or wages.

4. On February 27, 2024, this Honourable Court granted an order which, among other things:

    a. approved the engagement of FTI Capital Advisors – Canada ULC (the "**Financial Advisor**") as MFM's financial advisor in connection with the SISP;

    b. approved a sale and investment solicitation process (the "**SISP**");

    c. amended the ARIO to make the Financial Advisor a beneficiary of the Administration Charge; and

    d. extended the Stay of Proceedings to June 30, 2024.

5. On June 28, 2024, this Honourable Court granted an order which, among other things:

    a. approved a Key Employment Retention Plan (the "**KERP**");

    b. authorized MFM to borrow up to an aggregate amount of $26.5 million under the DIP Facility and amended and increased the amount of the Interim Lender's Charge to the same amount; and

    c. extended the Stay of Proceedings to August 2, 2024.

6. On August 2, 2024, this Honourable Court granted the following:

   a. an order which, among other things:

      i. extended the Stay of Proceedings to October 31, 2024;

      ii. authorized the Petitioner to enter into a financing agreement with CAFO Inc. ("**CAFO**") with respect to the financing by CAFO of the premium payable by MFM in relation to its property insurance policy, and granting CAFO a first-ranking priority Court-Ordered charge to the unearned premium of such insurance policy; and

      iii. authorized MFM to borrow up to an aggregate amount of $34.0 million under the DIP Facility and amended and increased the amount of the Interim Lender's Charge to the same amount (plus interest and costs);

   b. an order which authorized the Petitioner to enter into a transaction contemplated by an asset purchase agreement between Amalgamated Mining & Tunnelling Inc. ("**AMTI**") for the sale, transfer and assignment to AMTI of all of the right, title and interest of MFM in and to certain assets and the sale, transfer and assignment to MFM of all the right, title and interest of AMTI in and to a 2016 Sandvik Loader;

   c. an order authorizing the Petitioner to enter into a transaction contemplated by a sale and assignment of an equipment lease agreement for the sale of MFM's right, title and interest in an equipment lease between MFM, as lessee, and Sandvik Canada Inc., as lessor, dated April 19, 2018 to Nyrstar Tennessee Mines – Strawberry Plains LLC ("**NTM**"), a related party to MFM, and vesting the purchased interest in NTM, free and clear of any encumbrances; and

   d. an order approving a sale process in respect of certain of MFM's equipment and parts inventory and certain other ancillary relief.

7. On October 30, 2024, this Honourable Court granted an order which, among other things:

    a. extended the Stay of Proceedings to January 31, 2025; and

    b. authorized the Petitioner to disclose certain personal information of members of UNIFOR Local 3019 (the "**Union**") to representatives of the Union.

8. On January 29, 2025, this Honourable Court granted the following:

    a. an order appointing William Kaplan K.C. as an officer of the Court to act as a neutral third party to assist representatives of the Union and the Petitioner with the mediation of discussions between the Union and the Petitioner related to the draft memorandum of agreement and the Collective Bargaining Agreement amendments; and

    b. an order which, among other things:

        i. extended the Stay of Proceedings to April 4, 2025;

        ii. authorized the Petitioner to borrow an additional $3.0 million (bringing total borrowings up to an aggregate principal amount of $37.0 million) and increased the Interim Lender's Charge accordingly; and

        iii. approved the auction and liquidation services agreement between the Petitioner and Maynards Industries II Canada Ltd.

9. On April 3, 2025, this Honourable Court granted the following:

    a. an order which, among other things:

        i. approved a sale and investment solicitation process (the "**Second SISP**"), including a stalking horse subscription agreement (the "**Subscription

Agreement") dated March 31, 2025 among the Petitioner and Trafigura Holding S.à r.l. (the "**Purchaser**");

ii. approved the Expense Reimbursement Amount (as defined in the Subscription Agreement);

iii. approved the re-appointment of the Financial Advisor in connection with the Second SISP; and

b. an order which, among other things:

i. extended the Stay of Proceedings to July 31, 2025; and

ii. authorized the Petitioner to borrow an additional $8.0 million (bringing total borrowings up to an aggregate principal amount of $45.0 million) and increased the Interim Lender's Charge accordingly.

10. On July 10, 2025, this Honourable Court granted the following:

a. an order (the "**RVO**") which, among other things:

i. approved the transactions (the "**Transactions**") contemplated by an amended and restated share subscription agreement (the "**Amended Subscription Agreement**");

ii. authorized and directed MFM to perform its obligations under the Amended Subscription Agreement and to take all steps and execute such additional documents as may be necessary or desirable for the completion of the Transactions;

iii. approved the addition of an entity to be incorporated ("**Residual Co.**") prior to the closing of the Transactions as a Petitioner to these proceedings, at the Closing Time (as defined in the Amended Subscription Agreement) of the Transactions;

iv. vested in Residual Co. all of the right, title and interest in and to certain assets and liabilities (the "**Excluded Liabilities**") of MFM that are not to be acquired pursuant to the Amended Subscription Agreement, and discharged all Encumbrances against MFM and the Petitioner's Property other than the Permitted Encumbrances (each as defined in the RVO);

v. vested in the Purchaser all of the right, title and interest in and to the Purchased Shares (as defined in the RVO) issued by MFM, and ordered that the Petitioner's Property shall be retained by MFM free and clear of any Encumbrances, Excluded Liabilities and Claims (as defined in the RVO); and

vi. approved certain releases.

b. an order which, among other things:

i. extended the Stay of Proceedings to October 31, 2025; and

ii. authorized the Petitioner to borrow an additional $6.5 million (bringing total borrowings up to an aggregate principal amount of $51.5 million) and increased the Interim Lender's Charge accordingly.

11. On September 30, 2025, the Transactions closed and Residual Co. was assigned into bankruptcy with FTI appointed as Trustee. The Stay of Proceedings expired on October 31, 2025.

12. On August 27, 2026, the Monitor filed a notice of application returnable September 9, 2026, seeking an order (the "**Fee Approval and Discharge Order**"):

a. approving the activities, fees and disbursements of the Monitor and its counsel, Blake, Cassels & Graydon LLP ("**Blakes**") in these CCAA Proceedings;

b. discharging the Monitor; and

c. terminating these CCAA Proceedings.

PURPOSE

13. The purpose of this report is to provide this Honourable Court and MFM's stakeholders with information with respect to the following:

    a. the activities of the Monitor during the CCAA Proceedings;

    b. a summary of the Monitor and its legal counsel's professional fees and disbursements during the CCAA Proceedings; and

    c. the Monitor's conclusions and recommendations.

TERMS OF REFERENCE

14. In preparing this report, the Monitor has relied upon certain information (the "**Information**") including the Petitioner's unaudited financial information, books and records and discussions with senior management of MFM (collectively, "**Management**").

15. Except as described in this report, 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.

16. 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.

17. Future-oriented financial information reported to be relied on in preparing this report is based on Management's assumptions regarding future events. Actual results may vary from forecast and such variations may be material.

18. Unless otherwise stated, all monetary amounts contained herein are expressed in Canadian dollars.

MONITOR'S ACTIVITIES

19. The activities of the Monitor during the CCAA Proceedings have included, among other things, the following:

    a. retaining Blakes to act as independent legal counsel to the Monitor;

    b. attending to the statutory requirements under the CCAA and Initial Order;

    c. reviewing the proposed terms of the DIP Facility;

    d. communicating with key stakeholders, including the Interim Lender, Union, First Nations groups, counterparties, regulators, stakeholders and other interested parties, in order to advance the restructuring process and address stakeholder concerns;

    e. meeting with Management and the Petitioner's legal counsel, Gowling WLG, regarding MFM's business and financial affairs;

    f. reviewing and discussing various restructuring plans, cash flow scenarios and financial projections prepared by Management;

    g. evaluating the Petitioner's cost-reduction initiatives and operational restructuring measures, including the transition to care and maintenance activities;

h. reviewing workforce retention strategies, including the proposed KERP, which was approved by this Honourable Court;

i. reviewing the proposed SISP and retention of the Financial Advisor;

j. reviewing the Financial Advisor's engagement and fee arrangements, monitoring restructuring professional fees, and assessing the sufficiency of the Administration Charge (as defined in the Initial Order) in light of projected professional costs;

k. monitoring the SISP, in consultation with the Interim Lender and Petitioner, and evaluating compliance with the Court-approved SISP procedures;

l. consulting with MFM, the Financial Advisor, and other stakeholders regarding the evaluation of bids and proposed restructuring transactions;

m. reviewing the proposed sale of certain redundant equipment;

n. supervising and reporting on various other asset realization initiatives undertaken during these CCAA proceedings, including auction and liquidation arrangements, and asset and lease assignment transactions;

o. assisting MFM with monitoring and reporting on various labour and union related matters, including working with MFM with respect to the Court order obtained in October 2024 to permit MFM to disclose certain personal information to members of the Union and attending and reporting on the Court-approved mediation process between MFM and the Union and related issues concerning employee and pension matters that occurred in February 2025;

p. participating in discussions with respect to the proposed Subscription Agreement intended to be used as a stalking horse in the Second SISP after the SISP failed to result in a viable transaction;

q. working with MFM and the Financial Advisor to develop, implement, supervise, and report on the Second SISP;

r. monitoring ongoing care and maintenance operations at the mine site, including workforce, environmental and safety matters;

s. reviewing material contracts, supply arrangements and operational commitments;

t. reviewing and commenting on the Petitioner's cash flow statements and reviewing actual cash flow results on a weekly basis;

u. posting all relevant materials to the Monitor's website;

v. preparing for the assignment of Residual Co. into bankruptcy;

w. attending and participating in approximately 13 court hearings in connection with the Monitor's mandate in these CCAA proceedings; and

x. preparing nine Monitor's reports.

SUMMARY OF PROFESSIONAL FEES FOR THE CCAA PROCEEDINGS

20. The professional fees and disbursements of the Monitor and its legal counsel for the period ended June 30, 2026 are set out in the table below:

Summary of Professional Fees for the Monitor and its Legal Counsel For the period ended June 30, 2026				
Firm	**Fees**	**Disbursements**	**Taxes**	**Total**
FTI Consulting Canada Inc.	$ 1,580,275	$ 24,828	$ 80,255	$ 1,685,357
Blake Cassels & Graydon LLP	472,524	367	56,721	529,611
Total	**$ 2,052,798**	**$ 25,194**	**$ 136,976**	**$ 2,214,968**

21. A summary of the Monitor's fees and disbursements including name, position, hourly rate and hours charged by the Monitor's professional staff is attached as Appendix "**A**".

22. Attached as Appendix "**B**" is a summary of statements of account of the professional fees and disbursements charged by the Monitor's legal counsel.

23. The Monitor considers the fees and disbursements charged by its legal counsel to have been necessarily incurred and that the hours and rates charged are fair and reasonable in the circumstances. Blakes provided their accounts to the Monitor on a regular basis and the Monitor is satisfied that the work detailed in Blakes' invoices and accounts was completed by Blakes at the request of the Monitor, and was necessary in the circumstances. The fees and rates charged in Blakes' accounts are consistent with the fees charged by other law firms for work of a similar nature and complexity.

24. As described in the Eighth Report of the Monitor dated June 30, 2025, and as part of the Amended Subscription Agreement and closing of the Transactions, $100,000 was transferred to the Monitor's trust account to fund services performed by the Monitor and its legal counsel after the closing date of September 30, 2025 (the "**Administrative Expense Amount**"), including the bankruptcy of Residual Co.

25. The Monitor and its counsel have estimated accrued and forecasted professional fees of approximately $20,000 each to account for the time and expenses associated with this application as well as the statutory requirements of the Monitor following its discharge under the CCAA. It is expected that the balance of the Administrative Expense Amount will be required to fund the bankruptcy proceedings of Residual Co. with any remaining balance being refunded to the Purchaser.

CONCLUSION

26. The Monitor is of the view that its statutory duties and responsibilities under these CCAA Proceedings have been carried out in all material respects, and that it is now appropriate for the Monitor to be discharged and for these CCAA Proceedings to be terminated.

27. Based on the foregoing, the Monitor respectfully recommends that this Honourable Court grant the Fee Approval and Discharge Order.

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All of which is respectfully submitted this August 27, 2026.

FTI Consulting Canada Inc.
in its capacity as Monitor of MFM

Tom Powell
Senior Managing Director

Mike Clark
Managing Director

Appendix A

Summary of the Monitor's Professional Fees
and Disbursements

Myra Falls Mine Ltd.
Summary of the Monitor's Professional Fees and Disbursements
For the period ended June 30, 2026

FTI Consulting Canada Inc. Professionals Name	Position		Rate (Average)	Hours		Total Fees
Paul Bishop	Senior Managing Director	$	944	54.9	$	51,763
Thomas Powell	Senior Managing Director		989	722.0		713,870
Craig Munro	Managing Director		800	19.2		15,330
Mike Clark	Managing Director		806	668.5		538,523
Huw Parks	Director		602	227.0		136,526
Tessa Chiricosta	Senior Consultant		437	256.2		111,917
Brandi Swift	Consultant		350	18.8		6,567
Kathleen Foster	Administrative		150	17.1		2,559
Caitin Moreland	Administrative		150	21.5		3,219
Total			**788**	**2004.9**		**1,580,275**
Disbursements						24,828
Total Fees and Disbursements before GST						**1,605,102**
GST						80,255
Total Fees and Disbursements					**$**	**1,685,357**

Myra Falls Mine Ltd.
Summary of the Monitor's Professional Fees and Disbursements
For the period ended June 30, 2026

Invoice Number	Invoice Date	For the Period Ending	Fees	Disbursements	GST	Total
102900000771	13-Dec-23	31-Dec-23	$ 75,000	$ -	$ 3,750	$ 78,750
102900000818	31-Dec-23	31-Dec-23	72,688	7,542	4,012	84,242
102900000925	6-Feb-24	31-Jan-24	112,442	2,293	5,737	120,471
102900001006	6-Mar-24	29-Feb-24	165,658	391	8,302	174,352
102900001093	31-Mar-24	31-Mar-24	65,253	925	3,309	69,487
102900001206	7-May-24	30-Apr-24	68,922	2,045	3,548	74,515
102900001326	7-Jun-24	31-May-24	93,315	-	4,666	97,980
102900001412	11-Jul-24	30-Jun-24	94,521	3,490	4,901	102,911
102900001477	5-Aug-24	31-Jul-24	104,131	-	5,207	109,337
102900001603	6-Sep-24	31-Aug-24	39,134	1,771	2,045	42,950
102900001713	9-Oct-24	30-Sep-24	39,404	-	1,970	41,374
102900001814	11-Nov-24	31-Oct-24	75,575	-	3,779	79,353
102900001920	11-Dec-24	30-Nov-24	41,775	3,885	2,283	47,943
102900001993	9-Jan-25	31-Dec-24	38,770	574	1,967	41,312
102900002089	10-Feb-25	31-Jan-25	58,155	-	2,908	61,062
102900002161	6-Mar-25	28-Feb-25	26,933	-	1,347	28,279
102900002260	7-Apr-25	31-Mar-25	65,808	-	3,290	69,098
102900002348	12-May-25	30-Apr-25	56,508	-	2,825	59,333
102900002443	11-Jun-25	31-May-25	49,754	1,649	2,570	53,973
102900002546	14-Jul-25	30-Jun-25	81,436	-	4,072	85,508
102900002633	11-Aug-25	31-Jul-25	35,689	-	1,784	37,473
102900002756	11-Sep-25	31-Aug-25	14,274	-	714	14,988
102900002796	25-Sep-25	30-Sep-25	72,761	-	3,638	76,399
102900002985	14-Nov-25	31-Oct-25	6,851	262	356	7,469
102900003166	5-Jan-26	31-Dec-25	3,183	-	159	3,342
102900003326	9-Feb-26	31-Jan-26	3,685	-	184	3,869
102900003429	6-Mar-26	28-Feb-26	550	-	28	578
102900003689	11-May-26	30-Apr-26	4,045	-	202	4,247
102900003789	11-Jun-26	31-May-26	3,428	-	171	3,599
102900003891	9-Jul-26	30-Jun-26	10,633	-	532	11,164
Total			**$ 1,580,275**	**$ 24,828**	**$ 80,255**	**$ 1,685,357**

Appendix B

Summary of the Monitor's Legal Counsel's Professional Fees and Disbursements

Myra Falls Mine Ltd.
Summary of the Monitor's Legal Counsel's Professional Fees and Disbursements
For the period ended June 30, 2026

Invoice Number	Invoice Date	Fees	Disbursements	Taxes	Total
2425556	31-Dec-23	$ 46,445	$ 7	$ 5,573	$ 52,025
2429501	20-Feb-24	22,007	-	2,641	24,648
2434862	18-Mar-24	41,164	9	4,940	46,112
2440253	15-Apr-24	13,355	-	1,603	14,958
2447071	22-May-24	19,283	-	2,314	21,596
2451270	13-Jun-24	15,963	-	1,916	17,878
2457420	16-Jul-24	25,625	7	3,075	28,707
2464388	22-Aug-24	40,678	85	4,886	45,649
2468689	17-Sep-24	10,156	17	1,220	11,393
2473935	11-Oct-24	6,603	-	792	7,395
2480420	18-Nov-24	22,805	-	2,737	25,542
2487006	16-Dec-24	16,530	214	1,994	18,738
2492672	31-Dec-24	5,938	-	713	6,650
2497551	13-Feb-25	15,940	-	1,913	17,853
2502858	13-Mar-25	7,225	-	867	8,092
2508250	10-Apr-25	39,890	-	4,787	44,677
2517250	27-May-25	10,090	-	1,211	11,301
2521085	18-Jun-25	6,570	-	788	7,358
2527640	23-Jul-25	16,290	-	1,955	18,245
2533113	22-Aug-25	17,892	-	2,147	20,039
2537313	16-Sep-25	6,300	-	756	7,056
2539229	25-Sep-25	47,195	-	5,663	52,858
2556342	17-Dec-25	7,662	29	921	8,611
2561703	31-Dec-25	300	-	36	336
2583511	28-Apr-26	4,845	-	581	5,426
2588965	26-May-26	3,540	-	425	3,965
2601155	27-Jul-26	2,235	-	268	2,503
Total		**$ 472,524**	**$ 367**	**$ 56,721**	**$ 529,611**