

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

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 957855 ALBERTA LTD. (FORMERLY NEWSWEST INC.) AND ROSEBUD CREEK FINANCIAL CORP. IN RESPECT OF METRO 360 GENERAL PARTNERSHIP

MONITOR'S PLAN IMPLEMENTATION DATE CERTIFICATE

RECITALS

- A. On April 6, 2020, 957855 Alberta Ltd. (formerly NewsWest Inc.) and Rosebud Creek Financial Corp. (together, the "**Partners**") initiated proposal proceedings (the "**Proposal Proceedings**") under the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3, as amended, by filing notices of intention to make a proposal.
- B. Pursuant to an Order of the Court dated June 17, 2020 (as amended, the "**Initial Order**"), the Proposal Proceedings were taken up and continued under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**"), and KSV Restructuring Inc. was appointed as Monitor (in such capacity, the "**Monitor**") of the Partners and Metro 360 General Partnership (collectively, the "**CCAA Entities**").
- C. Pursuant to an Order of the Court dated January 14, 2022 (the "**Sanction Order**"), the Plan of Compromise and Arrangement of the CCAA Entities dated December 16, 2021 (as may be amended, varied, restated or supplemented from time to time in accordance with its terms, the "**Plan**"), was sanctioned and approved.
- D. Section 11.1 of the Plan sets out the various conditions required to be fulfilled prior to implementation of the Plan (collectively, the "**Conditions Precedent**"), and requires the CCAA Entities to provide the Monitor with written notice upon the satisfaction or waiver of the Conditions Precedent.
- E. Section 11.2 of the Plan provides that, upon receipt by the Monitor of written notice from the CCAA Entities of the satisfaction or waiver of the Conditions Precedent, the Monitor is required to deliver this certificate to the CCAA Entities and serve a copy thereof on the service list established in the CCAA proceedings, and thereafter file a copy with the Court and post same on its website.

- F. Pursuant to the Sanction Order, effective upon delivery of this certificate, the Directors' Charge shall be terminated and the CCAA Entities shall no longer be subject to these CCAA proceedings.
- G. Unless otherwise indicated, capitalized terms used but not defined herein have the meanings given to them in the Plan.

THE MONITOR HEREBY CERTIFIES the following:

1. The Monitor has received written confirmation from the CCAA Entities that the Conditions Precedent have been satisfied or waived in accordance with the Plan.
2. Pursuant to the terms of the Plan, the Plan Implementation Date has occurred.
3. The Plan is effective in accordance with its terms and the terms of the Sanction Order.

DATED at the City of Toronto, in the Province of Ontario, this 9th day of February, 2022.

KSV RESTRUCTURING INC., in its capacity as
Monitor of the CCAA Entities and not in its
personal or corporate capacity



Per: _____

Name: David Sieradzki
Title: Managing Director

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Court File No.: CV-20-00642783-00CL

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ALBERTA LTD. (FORMERLY NEWSWEST INC.) AND ROSEBUD CREEK FINANCIAL
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Applicants

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**
Proceeding commenced at Toronto

**MONITOR'S PLAN IMPLEMENTATION DATE
CERTIFICATE**

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