

Court File No. CV-22-00684542-00CL

ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

THE HONOURABLE)	MONDAY, THE 27 th
JUSTICE MCEWEN)	DAY OF FEBRUARY, 2023

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 MPX INTERNATIONAL CORPORATION, BIOCANNABIS PRODUCTS LTD., CANVEDA INC., THE CING-X CORPORATION, SPARTAN WELLNESS CORPORATION, MPXI ALBERTA CORPORATION, MCLN INC., AND SALUS BIOPHARMA CORPORATION (collectively, the "Applicants")

ORDER

(Stay Extension & Fee Accrual)

THIS MOTION, made by the Applicants, pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, for an order, *inter alia*, approving an extension of the Stay Period and certain related relief, was heard this day by Zoom videoconference.

ON READING the Notice of Motion of the Applicants, the affidavit of Jeremy Budd sworn February 21, 2023 (the "Budd Affidavit"), the Fifth Report of KSV Restructuring Inc. (the "Fifth Report"), in its capacity as monitor of the Applicants (the "Monitor"), filed, and on hearing the submissions of counsel for the Applicants, counsel for the Monitor, and such other counsel as were present, no one else appearing although duly served as appears from the affidavit of service of Thomas Gray sworn February 21, 2023;

SERVICE AND DEFINITIONS

- 1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
- 2. **THIS COURT ORDERS** that capitalized terms used in this Order and not otherwise defined herein shall have the meanings ascribed to them under the CCAA Termination Order of this Court dated December 15, 2022 (the "CCAA Termination Order") or the Budd Affidavit, as applicable.

EXTENSION OF THE STAY PERIOD

- 3. **THIS COURT ORDERS** that the Stay Period in respect of the Other MPXI Entities and all of the directors and officers of the Other MPXI Entities be and is hereby extended until the earlier of (i) the closing of the Canveda Transaction; or (ii) April 28, 2023.
- 4. **THIS COURT ORDERS** that the Stay of Proceedings is extended to 1000331738 Ontario Inc. upon the closing of the Canveda Transaction and its addition to the CCAA Proceedings until the filing of the Discharge Certificate.
- 5. **THIS COURT ORDERS** that after February 28, 2023, the Stay of Proceedings shall not apply to the action brought by Ninth Square Capital Corporation bearing Court File No. CV-19-625101-00CL (the "Ninth Square Action") or to the action brought by the three individual defendants in the Ninth Square Action bearing Court File No. CV-22-00688584-0000 (the "Third Party Action"), provided that no party, including any party to the Ninth Square Action or the Third Party Action, may take enforcement steps against any assets of any of the Other MPXI Entities during the Stay Period.

APPROVAL OF THE MONITOR'S REPORTS, ACTIVITIES AND FEE ACCRUAL

6. **THIS COURT ORDERS** that the Fifth Report, and the activities of the Monitor and its counsel referred to therein be and are hereby approved; provided, however, that only the Monitor, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

7. **THIS COURT ORDERS** that a fee accrual amount of \$35,000.00 for the Monitor and the Monitor's legal counsel, Aird & Berlis LLP, collectively for the completion of remaining activities in connection with the CCAA Proceedings be and is hereby approved.

GENERAL

- 8. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States, Switzerland, South Africa, Malta, Australia, Lesotho, Thailand or any other country, to give effect to this Order and to assist the Applicants, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants 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 Applicants, the Monitor and their respective agents in carrying out the terms of this Order.
- 9. **THIS COURT ORDERS** that each of the Applicants and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Monitor is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.
- 10. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. on the date of this Order and this Order is enforceable without the need for entry or filing.

CING-X CORPORATION, SPARTAN WELLNESS CORPORATION, MPXI ALBERTA CORPORATION, MCLN INC., AND IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED AND IN THE MATTER OF MPX INTERNATIONAL CORPORATION, BIOCANNABIS PRODUCTS LTD., CANVEDA INC., THE SALUS BIOPHARMA CORPORATION Court File No.: CV-22-00684542-00CL

ONTARIO SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST)

Proceedings Commenced in Toronto

ORDER (Stay Extension & Fee Accrual)

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