

COURT FILE NUMBER ^{B203}
~~24~~-2878531

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON



IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL UNDER SECTION 50.4(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, RSC 1985, c B-3, AS AMENDED

APPLICANTS NILEX INC. and NILEX USA INC.

DOCUMENT **ORDER (approving extension of time to file a proposal)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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File Ref: 99580/8

DATE ON WHICH ORDER WAS PRONOUNCED: February 7, 2022

LOCATION OF HEARING: Edmonton, Alberta (via Webex)

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice J.T. Neilson

UPON THE APPLICATION by Nilex Inc. and Nilex USA Inc. (the "**Companies**") for an order extending the time for each of the Companies to file a proposal pursuant to the *Bankruptcy and Insolvency Act*, RSC 1985 c B-3 (the "**BIA**"), approving and ratifying the actions, conduct and activities of the Proposal Trustee as described in the fourth report of the Proposal Trustee dated January 30, 2023 (the "**Fourth Report**"), and approving the fees and disbursements of the Proposal Trustee and its counsel as described in the Fourth Report;

AND UPON HAVING READ the Application, the Affidavit of Jeff Allen sworn on January 30, 2023, the Fourth Report, the fee affidavit of David Sieradzki sworn January 30, 2023, the fee affidavit of Danielle Maréchal sworn January 30, 2023, and the fee affidavit of Brent Cohen sworn January 30, 2023, (collectively, the "**Fee Affidavits**"), the Affidavit of Service of Marica

Ceko sworn February 2, 2023, and such other material in the pleadings and proceedings as deemed necessary;

AND UPON HEARING the submissions of counsel for the Companies, the Proposal Trustee and such other counsel in attendance;

IT IS HEREBY ORDERED AND DECLARED THAT:

EXTENSION OF TIME TO FILE A PROPOSAL

1. Pursuant to Section 50.4(9) of the BIA, the time for each of the Companies to file their respective proposals is hereby extended to March 24, 2023 (as that date may be extended by further order of the Court).

PROPOSAL TRUSTEE'S ACTIVITIES AND FEES

2. The actions, conduct and activities of the Proposal Trustee as set out in the Fourth Report are hereby ratified and approved, provided that only the Proposal Trustee shall be entitled to rely on or utilize such approval.
3. The professional fees and disbursements of the Proposal Trustee and its counsel, as detailed in the Fourth Report and the Fee Affidavits, are hereby approved without the necessity of a formal assessment of their accounts.

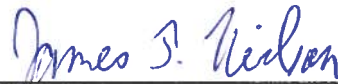
MISCELLANEOUS MATTERS

4. The Companies, the Proposal Trustee, and any other interested party shall be at liberty to apply for further advice, assistance, and directions as may be necessary in order to give full force and effect to the terms of this Order and to assist and aid the parties in closing the Transaction.
5. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in any of its provinces or territories or in any foreign jurisdiction, to act in aid of and to be complimentary to this Court in carrying out the terms of this Order, to give effect to this Order, and to assist the Proposal Trustee and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such order and to provide such assistance to the Proposal Trustee, as an officer of the Court, as may be necessary

or desirable to give effect to this Order or to assist the Proposal Trustee and its agents in carrying out the terms of this Order.

SERVICE OF ORDER

6. Service of this Order shall be deemed good and sufficient:
 - (i) by serving same on the persons who were served with notice of this Application and any other parties attending or represented at the hearing of the Application; and
 - (ii) by posting a copy of this Order on the Proposal Trustee's website at:
<https://www.ksvadvisory.com/experience/case/nilex-inc.>
7. Service of this Order on any other person is hereby dispensed with.
8. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.



Justice of the Court of King's Bench of Alberta