

No. S-254287  
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA  
IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
RSC 1985, c C-36, as amended

and

IN THE MATTER OF OAK AND FORT CORP., 1282339 B.C. LTD.,  
OAK AND FORT US GROUP, INC., OAK AND FORT ENTERPRISE (U.S.), INC., NYM  
MERGER HOLDINGS LLC AND OAK AND FORT CALIFORNIA, LLC

PETITIONERS

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE MADAM )  
JUSTICE FITZPATRICK ) NOVEMBER 28, 2025  
)

**ON THE APPLICATION** of the Petitioners coming on for hearing via Microsoft Teams at Vancouver, British Columbia, on this 28<sup>th</sup> day of November, 2025; **AND ON HEARING** Lisa Hiebert and Tiffany Bennett, counsel for the Petitioners, and those other counsel listed on **Schedule "A"** hereto; **AND UPON HAVING READ** the application material filed, including the Eighth Affidavit of Min Gyoung Kang affirmed November 24, 2025, and the Fifth Report of the Monitor dated November 26, 2025 (the "**Report**"); **AND PURSUANT TO** the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, the *Supreme Court Civil Rules* and the inherent jurisdiction of this Honourable Court;

**THIS COURT ORDERS AND DECLARES THAT:**

1. The time for service of the Notice of Application for this order and the materials filed in support is hereby abridged such that this application is properly returnable today, and further service upon any interested party other than those parties on the service list maintained in these proceedings is hereby dispensed with.

**APPROVAL OF FEE LETTER AND PAYMENT OF FACILITY FEE**

2. The fee letter dated November 24, 2025 between HUK 165 Limited ("**Hilco**") and Oak and Fort Corp. ("**O&F**"), a copy of which is attached as Appendix "A" to the Report (the "**Fee**



Letter”), is hereby approved. O&F is hereby authorized to pay the Facility Fee (as defined in the Fee Letter) to Hilco. In the event that the Facility Fee becomes returnable to O&F pursuant to the terms of the Fee Letter, Hilco is hereby directed to promptly return the Facility Fee amount to O&F within five (5) business days of receipt of a written demand therefor.

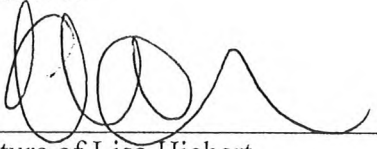
3. O&F, Hilco and the Monitor may apply to this Court for advice and directions with respect to the Fee Letter on notice to the Service List.

### GENERAL PROVISIONS


4. THIS COURT REQUESTS the aid and recognition of other Canadian and foreign Courts, tribunals, and 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, and regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Petitioners and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, or to assist the Petitioners and the Monitor and their respective agents in carrying out the terms of this Order.

5. Endorsement of this Order by counsel appearing on this application, other than counsel for the Petitioners, is hereby dispensed with.

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 Lisa Hiebert,  
Lawyer for the Petitioners

BY THE COURT

  
\_\_\_\_\_  
REGISTRAR



**Schedule "A"**  
**Appearance List**

<b>Counsel Name</b>	<b>Party Represented</b>
Jesse Mighton and Andrew Froh	KSV Restructuring Inc., in its capacity as the Court-appointed Monitor
Douglas B. Hyndman	Business Development Bank of Canada
Katherine Griffin	The Interim Lender (Klaus Lam, Bo Ra Kim, Min-Seon Scott Park, Bear and Otter Holdings Ltd., and Min Kang)
Jaclyn Tarola	Westfield Group