



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 TEBO MILL INSTALLATIONS INC., TEBO MILL CONSTRUCTION INC., ALGON HOLDINGS INC., FRASERVIEW FABRICATION AND MACHINING INC., PTOLEMYTECH CONSULTANTS INC.

PETITIONERS

ORDER MADE AFTER APPLICATION (ACTIVITIES AND FEE APPROVAL)

BEFORE)	THE HONOURABLE MR. JUSTICE STEPHENS)	October 24, 2024
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ON THE APPLICATION OF Crowe MacKay & Company Ltd. ("Crowe"), the Court-appointed Monitor of the Petitioners (in such capacity, the "Monitor"), coming on for hearing at Vancouver, British Columbia, on this day, AND ON HEARING Heidi Esslinger and Glen Nesbitt, counsel for the Monitor, and those other counsel listed on Schedule "A" hereto; AND UPON READING the materials filed, including the First Report of Monitor dated April 12, 2024, and the Second Report of the Monitor dated October 11, 2024 (together, the "Monitor's Reports");

THIS COURT ORDERS AND DECLARES that:

1. The time for service of this notice of application and supporting materials is hereby abridged such that the notice of application is properly returnable today, and service upon any interested party other than those parties on the Service List maintained by the Monitor

in these proceedings is hereby dispensed with.

- 2. The activities of the Monitor as described in the Monitor's Reports are hereby approved, provided however that only Crowe in its personal capacity, and only with respect to its own personal liability, shall be entitled to rely upon or utilize such approval in any way.
- The Monitor's accounts for professional fees and disbursements for the period July 14, 2023 to May 24, 2024, in the amount of \$116,595.56, inclusive of applicable taxes, be and are hereby approved.
- 4. The Monitor's estimated further fees and disbursements of approximately \$12,000 (plus applicable taxes) for the period from May 25, 2024, to the completion of this matter be and are hereby approved.
- The accounts for professional fees and disbursements of the Monitor's legal counsel, Fasken Martineau DuMoulin LLP, for the period December 11, 2023 to June 30, 2024, in the amount of \$56,122.03, inclusive of applicable taxes, be and are hereby approved.
- 6. Fasken's estimated further fees and disbursements of approximately \$15,000 (plus applicable taxes) for the period from July 1, 2024, to the completion of this matter be and are hereby approved.
- 7. Upon filing with the Court a discharge certificate substantially in the form attached as <a href="Schedule" (Schedule" (Schedule"
- 8. Effective upon the filing of the Discharge Certificate, the Monitor, counsel to the Monitor, and each of their respective affiliates and officers, directors, partners, employees and agents, and their respective affiliates and officers, directors, partners, employees and agents

(collectively, the "Released Parties") be and are hereby released and discharged from any and all claims that any person may have or be entitled to assert against the Released Parties, whether known or unknown, matured or unmatured, foreseen or unforeseen, existing or hereafter arising, based in whole or in part on any action or omission, transaction, dealing or other occurrence existing or taking place on or prior to the date of the filing of the Discharge Certificate in any way relating to, arising out of or in respect of these proceedings under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 (the "CCAA") or with respect to their respective conduct in these CCAA proceedings (collectively, the "Released Claims"), and any such Released Claims are hereby released, stayed, extinguished and forever barred, with prejudice, and the Released Parties shall have no liability in respect thereof, provided that the Released Claims shall not include any claim arising out of gross negligence or wilful misconduct on the part of the applicable Released Party.

- 9. No action or proceeding arising from or related to the within CCAA proceedings shall be commenced against the Released Parties except with prior leave of the Court on at least 10 days' notice to the applicable Released Party.
- 10. The Monitor may apply to this Court for advice and directions in relation to this Order and any related matters.
- 11. Endorsement of this Order by counsel appearing, other than counsel for the Monitor, 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 Heidi Esslinger Lawyer for the Monitor

REGISTRAR

BY THE COURT

CHECKED

SCHEDULE "A"

List of Counsel

Counsel	Party
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SCHEDULE "B"

Discharge Certificate

No. S-237897 Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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DISCHARGE CERTIFICATE

- 1. Pursuant to the Order of the Honourable Justice Stephens of the Supreme Court of British Columbia (Vancouver Registry) (the "Court") granted April 5, 2024, as amended and restated by further order made on April 15, 2024, Crowe MacKay & Company Ltd. was appointed Monitor of the Petitioners (in such capacity, the "Monitor").
- 2. Pursuant to the Order of the Honourable Justice Stephens granted October 24, 2024 (the "Fee Approval & Discharge Order"), the Court released and discharged the Monitor of its duties pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, with effect upon the Monitor filing a certificate with the Court certifying that it had completed all tasks required of it in its capacity as Monitor, other than such incidental tasks as may be required to conclude the administration of these proceedings (collectively, the "Incidental Tasks").

THE MONITOR HEREBY CERTIFIES THAT it has completed all tasks required of it in its
capacity as Monitor, other than the Incidental Tasks.
DATED at the City of Vancouver, in the Province of British Columbia, this day of, 2024.
Crowe MacKay & Company Ltd., in its capacity as Court-appointed Monitor of the Petitioners and not in its personal capacity
Per:
Name:
Title:

No. S-237897 Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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ARRANGEMENT ACT,

R.S.C. 1985, c. C-36, AS AMENDED

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PETITIONERS

ORDER MADE AFTER APPLICATION

(FEE APPROVAL & DISCHARGE)

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