

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No.: 500-11-061483-224

DATE: November 1st, 2023

PRESIDING: THE HONOURABLE CHRISTIAN IMMER, J.S.C.

IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF:

**FORMERXBC INC. (FORMERLY XEBEC ADSORPTION INC.)
11941666 CANADA INC. (FORMERLY XEBEC RNG HOLDINGS INC.)
APPLIED COMPRESSION SYSTEMS LTD.
1224933 ONTARIO INC. (FORMERLY COMPRESSED AIR INTERNATIONAL INC.)
FORMERXBC HOLDING USA INC. (FORMERLY XEBEC HOLDING USA INC.)
ENERPHASE INDUSTRIAL SOLUTIONS, INC.
CDA SYSTEMS, LLC
FORMERXBC ADSORPTION USA INC. (FORMERLY XEBEC ADSORPTION USA INC.)
FORMERXBC PENNSYLVANIA COMPANY (FORMERLY THE TITUS COMPANY)
FORMERXBC NOR CORPORATION (FORMERLY NORTEKBELAIR CORPORATION)
FORMERXBC FLOW SERVICES – WISCONSIN INC. (FORMERLY XBC FLOW
SERVICES – WISCONSIN INC.)
CALIFORNIA COMPRESSION, LLC
FORMERXBC SYSTEMS USA, LLC (FORMERLY XEBEC SYSTEMS USA, LLC)
Debtors / Petitioners**

and

DELOITTE RESTRUCTURING INC.
Monitor

ORDER AUTHORIZING THE REVIEW OF CERTAIN LATE CLAIMS

- [1] **CONSIDERING** the *Application for the Issuance of a Plan Filing and Meeting Order and Other Relief* (the "**Application**") pursuant to the *Companies' Creditors Arrangement Act* (Canada) (the "**CCAA**"), of the Petitioners and the affidavit of Mr. Dimitrios Vounassis, filed in support thereof;
- [2] **CONSIDERING** the submissions of counsel present at the hearing in the Application;
- [3] **CONSIDERING** the Monitor's report filed in connection with the Application (the "**Monitor's Report**");
- [4] **CONSIDERING** the testimony of the Monitor's representative at the hearing on the Application;
- [5] **CONSIDERING** the Claims Procedure Order dated May 24, 2023 (as may be subsequently amended or clarified from time to time, the "**Claims Procedure Order**");
- [6] **GIVEN** the provisions of the CCAA;

THE COURT HEREBY:

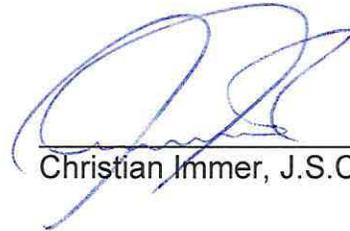
- [7] **GRANTS** the Application.
- [8] **DECLARES** that any prior delay for the presentation of the Application is hereby abridged and validated so that the Application is properly returnable today and hereby dispenses with further service thereof.
- [9] **ORDERS** and **DECLARES** that the claims described in the Monitor's Report and in **Schedule A** hereto (each, a "**Late Claim**"), shall be deemed to have been filed with the Monitor on or before the Claims Bar Date (as defined in the Claims Procedure Order).
- [10] **AUTHORIZES** the Monitor, in consultation with the Petitioners, to review and process the Late Claims with the view to allowing, revising or disallowing them, the whole as provided, *mutatis mutandis*, in the Claims Procedure Order.
- [11] **REQUESTS** the aid and recognition of any Court, tribunal, regulatory or administrative body in any Province of Canada and any Canadian federal court or in the United States of America, including without limitation the United States Bankruptcy Court for the District of Delaware, and any court or administrative body elsewhere, to give effect to this Order and to assist the Petitioners, the Monitor and their respective agents in carrying out the terms of this Order. All Courts, tribunals, regulatory and administrative bodies are respectfully requested to make such orders and to provide such assistance to the Petitioners and the Monitor as may be necessary or desirable to give effect to this Order in any foreign proceeding, to

assist the Petitioners and the Monitor and their respective agents in carrying out this Order.

[12] **ORDERS** the provisional execution of this Order notwithstanding appeal and without security.

[13] **PERMITS** service of this Order at any time and place and by any means whatsoever.

THE WHOLE WITHOUT COSTS.



Christian Immer, J.S.C.

MTRE SANDRA ABITAN
MTRE JULIEN MORISSETTE
MTRE ILIA KRAVTSOV
MTRE SOPHIE COURVILLE-LE BOUYONNEC
(OSLER HOSKIN & HARCOURT LLP)
COUNSEL TO THE PETITIONER

Hearing date: October 31, 2023

SCHEDULE A**List of Late Claims**

ACS	27-juil-23	3 754.49	-	-	-	CAD
CAI	27-sept-23	14 035.73	-	14 035.73	-	CAD
CAL	27-juil-23	25 379.90	-	-	-	USD
CAL	23-août-23	10 981.04	-	-	-	USD
TIT	03-août-23	206 000.00	-	-	-	USD
TIT	03-août-23	450 000.00	-	-	-	USD
UEC	07-sept-23	54 448.00	-	-	-	USD
UEC	16-août-23	7 667.00	-	-	-	USD
UEC	21-sept-23	3 380.06	-	-	-	USD
UEC	21-sept-23	1 030.43	-	-	-	USD
UEC	09-août-23	4 567.24	-	4 567.24	-	USD
UEC	01-août-23	4 125.96	-	-	-	USD
XHU	03-août-23	206,000.00	-	-	-	USD
XHU	03-août-23	450,000.00	-	-	-	USD
XSU	30-oct-23	82,667.00	-	-	-	USD