

Clerk's stamp:



COURT FILE NUMBER 1603 08336  
COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

PLAINTIFF CELINE MILETICH

DEFENDANT NAEJA PHARMACEUTICAL INC.

APPLICANT DELOITTE RESTRUCTURING INC., solely in its capacity as Court appointed Receiver and Manager of the assets, undertakings and property of NAEJA PHARMACEUTICAL INC.

DOCUMENT **ORDER FOR FINAL DISTRIBUTION, APPROVAL OF RECEIVER'S FEES AND DISBURSEMENTS, APPROVAL OF RECEIVER'S ACTIVITIES AND DISCHARGE OF RECEIVER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **REYNOLDS MIRTH RICHARDS & FARMER LLP**  
Attention: Shauna N. Finlay  
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**Until March 25, 2024:**  
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File No: 105488-078 SNF

**DATE ON WHICH ORDER WAS PRONOUNCED: February 13, 2024**

**LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton, Alberta**

**NAME OF JUSTICE WHO MADE THIS ORDER: Justice M. Lema**

UPON THE APPLICATION of Deloitte Restructuring Inc., in its capacity as the Court-appointed receiver (the "Receiver") of the undertaking, property and assets of Naeja Pharmaceutical Inc. (the "Debtor") for an Order for the final distribution of proceeds, approval of the Receiver's fees and disbursements, approval of the Receiver's activities and discharge of the Receiver; AND UPON hearing read the Receiver's Second and Final Report dated February 6, 2024 (the "Receiver's Final Report"); AND UPON hearing

counsel for the Receiver, counsel for the Debtor and counsel for various creditors; AND UPON being satisfied that it is appropriate to do so, IT IS ORDERED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given.
2. The Receiver's accounts for fees and disbursements, as set out in the Receiver's Final Report are hereby approved without the necessity of a formal passing of its accounts.
3. The accounts of the Receiver's legal counsel, Reynolds Mirth Richards & Farmer LLP, for its fees and disbursements, as set out in the Receiver's Final Report are hereby approved without the necessity of a formal assessment of its accounts.
4. The Receiver's activities as set out in the Receiver's Final Report and in all of its other reports filed herein, and the Statement of Receipts and Disbursements as attached to the Receiver's Final Report, are hereby ratified and approved.
5. The Receiver is authorized and directed to make the following distributions:
  - a. all property and funds remaining in the possession of the Receiver shall be distributed to Micetich, including the unredacted Research Collaboration and License Agreement between AiCuris GmbH & Co. KG, a German limited liability partnership, and the Debtor dated effective January 1, 2009;
  - b. granting leave to the Receiver to apply or reapply to this or any Court or administrative body in any province of Canada for advice, assistance and directions as may be necessary to carry out the terms of the Order sought.
6. No action or other proceedings shall be commenced against the Receiver in any way arising from or related to its capacity or conduct as Receiver, except with prior leave of this Court on Notice to the Receiver, and upon such terms as this Court may direct.
7. Upon the Receiver filing with the Clerk of the Court a sworn Affidavit of a licensed Trustee employed by the Receiver confirming that:
  - a. All matters set out in paragraph 5 of this Order have been completed; and
  - b. Payment of all outstanding fees and disbursements;

then the Receiver shall be discharged as Receiver of the Debtor, provided however, that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver.

8. This Order must be served only upon those interested parties attending or represented at the within application and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
9. Service of this Order on any party not attending this application is hereby dispensed with.



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JUSTICE OF THE COURT OF KING'S BENCH OF  
ALBERTA IN CHAMBERS