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COURT FILE NUMBER 1701-01142
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFFS CHINA MINSHENG BANKING CORP., LTD., HONGKONG
BRANCH AND CHINA MINSHENG BANKING CORP. LTD.
SHANGHAI BRANCH, AND SONICFIELD GLOBAL LIMITED, AS
SECURED LENDERS, AND COMPUTERSHARE TRUST
COMPANY OF CANADA, IN ITS CAPACITY AS COLLATERAL
AGENT FOR AND ON BEHALF OF THE SECURED LENDERS



DEFENDANTS GRANDE CACHE COAL LP, GRANDE CACHE COAL
CORPORATION, UP ENERGY (CANADA) LIMITED AND
0925165 B.C. LTD.

DOCUMENT **ORDER (SEALING ORDER)**
ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS DOCUMENT
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DATE ON WHICH ORDER WAS PRONOUNCED: January 19, 2024
NAME OF JUDGE WHO MADE THIS ORDER: Honourable Justice Neufeld
LOCATION OF HEARING: Calgary, Alberta

UPON the application (the "**Application**") of Deloitte Restructuring Inc., in its capacity as the court-appointed receiver and manager (the "**Receiver**") of certain condominium units owned by Grande Cache Coal LP and Grande Cache Coal Corporation (collectively, the "**Debtors**") pursuant to the Receivership Order granted on January 19, 2024 (the "**Receivership Order**") in the within proceedings (the "**Proceedings**"); **AND UPON** having read the Second and Final Report of the Receiver, dated January 9, 2024 (the "**Receiver's Report**"); **AND UPON** having read the Confidential Appendix "A" and Confidential Appendix "B" to the Receiver's Report, dated January 9, 2024 (collectively, the "**Confidential Appendices**"); **AND UPON** having read the Affidavit of

Service of Katie Hynne, sworn on January 16, 2024 (the “**Service Affidavit**”); **AND UPON** hearing counsel for the Receiver and any other counsel present;

IT IS HEREBY ORDERED AND DECLARED THAT:

SERVICE

1. The time for service of the Application and the Receiver’s Report is abridged, the Application is properly returnable today, service of the Application and the Receiver’s Report on the service list, in the manner described in the Service Affidavit, is good and sufficient, and no other persons, other than those on the service list (the “**Service List**”) attached as an exhibit to the Service Affidavit, are entitled to service of the Application or the Second Receiver’s Report.

SEALING

2. Part 6, Division 4 of the *Alberta Rules of Court* does not apply to the Application and the Clerk of the Court is hereby directed to seal the Confidential Appendices, on the Court file, until the filing of the Closing Certificate (as defined in and contemplated by the Sale Approval and Vesting Order made in connection with the Application) or further order of the Court. The Confidential Appendices shall be sealed and filed in an envelope containing the following endorsement:

THIS ENVELOPE CONTAINS THE CONFIDENTIAL APPENDICES TO THE SECOND AND FINAL REPORT OF THE RECEIVER, DATED JANUARY 9, 2024 (THE “REPORT”). THE CONFIDENTIAL APPENDICES TO THE REPORT ARE SEALED PURSUANT TO AN ORDER ISSUED BY THE HONOURABLE JUSTICE NEUFUELD, DATED JANUARY 19, 2024, AND IS NOT TO BE PLACED ON THE PUBLIC RECORD OR MADE PUBLICLY ACCESSIBLE UNTIL THE FILING OF THE RECEIVER’S CLOSING CERTIFICATE REFERRED TO IN THE SALE APPROVAL, VESTING, AND DISCHARGE ORDER PRONOUNCED ON JANUARY 19, 2024, OR FURTHER ORDER OF THE COURT.

3. Any person may apply, on reasonable notice to the Receiver and any other persons likely to be affected, to vary or amend the terms of paragraph 2 of this Order.

4. Service of this Order on the Service List by email, facsimile, registered mail, courier, personal delivery shall constitute good and sufficient service of this Order, and no persons other than the persons listed on the Service List are entitled to be served with a copy of this Order. Service is deemed to be effected the next business day following the transmission or delivery of such documents.

5. Service of this Order on any party not attending this application is hereby dispensed with.



Justice of the Court of King's Bench of Alberta