

NO. S198317
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

HSBC BANK OF CANADA

PLAINTIFF

AND:

BELLAVITA TILE INC.

DEFENDANT

DISCHARGE ORDER

BEFORE THE HONOURABLE

FRIDAY, THE
11th DAY OF DECEMBER, 2020.

ON THE APPLICATION of the Plaintiff, HSBC Bank of Canada (“**Bank**”) coming on for hearing by telephone at Vancouver, British Columbia, on the 11th day of December, 2020; AND ON HEARING Joel Schachter, counsel for the Bank; AND UPON READING the material filed, including the First and Final Report of Deloitte Restructuring Inc. in its capacity as Court-appointed Receiver and Manager (the “**Receiver**”) of the assets, undertakings and properties of the Defendant, Bellavita Tile Inc. dated November 9, 2020 (the “**Report**”) and the Affidavits of Jeff Keeble and Lisa Hiebert (collectively, the “**Fee Affidavits**”);

THIS COURT ORDERS AND DECLARES THAT:


1. The activities of the Receiver, as set out in the Report, are hereby approved.
2. The fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, including the estimate of fees to conclude matters, be and are hereby approved.
3. After payment of the fees and disbursements of the Receiver as herein approved, the Receiver shall pay all funds remaining in its hands to the Bank.

4. Upon payment of the amounts set out in paragraph 3 hereof, the Receiver shall be discharged as Receiver of the assets, undertaking and property of the Defendant, Bellavita Tile Inc., provided 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 Deloitte Restructuring Inc. in its capacity as Receiver.

5. Deloitte Restructuring Inc. is hereby released and discharged from any and all liability that Deloitte Restructuring Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of Deloitte Restructuring Inc. while acting in its capacity as Receiver herein. Without limiting the generality of the foregoing, Deloitte Restructuring Inc. is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings.

6. Notwithstanding any provision herein, this Order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other Order of this Court.

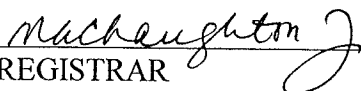
THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



 Joel Schachter
 COUNSEL FOR THE RECEIVER

Plaintiff
 HSBc Bank of Canada
 Mack J.

BY THE COURT



 REGISTRAR



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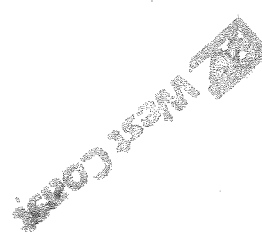
DEFENDANT

ORDER MADE AFTER APPLICATION



Barristers & Solicitors
925 West Georgia Street
Vancouver, British Columbia
V1Y 0C2

Phone: (604) 631-9238
Attention: Joel Schachter



Handwritten initials