



2021

Hfx No. 503367

Supreme Court of Nova Scotia

Between:

Canadian Imperial Bank of Commerce, a chartered bank

Plaintiff

- and -

3304051 Nova Scotia Limited, a body corporate

Defendant



Order
Justice Darlene A. Jamieson

~~BEFORE THE Honourable~~ _____ in Chambers:

UPON MOTION of Deloitte Restructuring Inc. (the "Receiver"), in its capacity as Court-appointed Receiver of all of the assets, undertakings and properties of 3304051 Nova Scotia Limited (the "Company"), for an order:

- i) abridging the time for service of this motion;
- ii) approving the actions of the Receiver;
- iii) taxing and approving the accounts of the Receiver and its legal counsel;
- iv) authorizing final distribution of funds; and
- v) discharging the Receiver.

AND UPON reading the Receiver's Fourth Report dated November 12, 2021 and other materials on file herein;


AND UPON hearing Marc Dunning on behalf of the Receiver and other counsel and parties who have appeared;

IT IS HEREBY ORDERED that:

1. The time for service of the Notice of Motion is hereby abridged and validated so that this motion is properly returnable on November 25, 2021 and further service thereof is hereby dispensed with.
2. The activities of the Receiver in this proceeding as set out in the Receiver's First Report, Second Report, Third Report and Fourth Report on file herein be and the same are hereby approved.
3. The fees and disbursements of the Receiver and its counsel be and the same are hereby taxed and approved.

4. A final distribution by the Receiver to CIBC of the amount remaining in trust after the performance of the activities set out in paragraph 5(a) of this Order, which as at November 12, 2021 was projected to be \$81,883.46, be and the same is hereby approved.
5. The Receiver be and is hereby discharged provided, however, that notwithstanding its discharge herein the Receiver shall:
 - a) remain Receiver for the performance of the activities set out in paragraph 34 of the Receiver's Fourth Report and such other incidental duties as may be required to complete the administration of the receivership herein; and
 - b) continue to have the benefit of all Orders made in these proceedings, including all approvals, protections, and stays of proceedings in favour of the Receiver.
6. In addition to the rights and protections afforded the Receiver under statute and prior Orders of this Court issued in this proceeding, the Receiver shall not be liable for any act or omission on the part of the Receiver, or any reliance thereon, including without limitation, with respect to any information disclosed, act or omission pertaining to the discharge of duties or obligations in this receivership proceeding save and except for any claim or liability arising out of any negligence or misconduct on the part of the Receiver.
7. No action of other proceeding shall be commenced against the Receiver in any way arising from or related to its capacity, actions or conduct as Receiver except in accordance with the provisions of the Order appointing the Receiver issued February 11, 2021.

Dated at Halifax, Nova Scotia this 25th day of November, 2021.

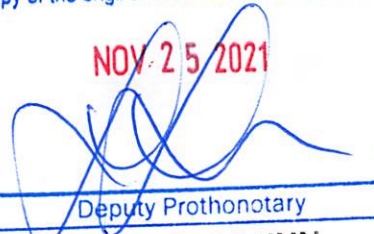


Prothonotary

ORRAINE LUNN
Deputy Prothonotary

IN THE SUPREME COURT
COUNTY OF HALIFAX, N.S.
I hereby certify that the foregoing document,
identified by the seal of the court, is a true
copy of the original document on the file herein

NOV 25 2021



Deputy Prothonotary

ORRAINE LUNN
Deputy Prothonotary