

**SUPERIOR COURT  
(COMMERCIAL DIVISION)**

Canada  
Province of Québec  
District of Montréal  
No: 500-11-057679-199  
Date: June 22, 2021

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Presiding: The Honourable Marie-Anne Paquette, J.S.C.

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In the matter of the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36 of:

**INVESTISSEMENT QUÉBEC  
FIERA PRIVATE DEBT INC.**  
Secured Creditors

- and -

**FORTRESS GLOBAL ENTERPRISES INC.  
FORTRESS SPECIALTY CELLULOSE INC.  
FORTRESS BIOENERGY LTD.  
FORTRESS XYLITOL INC.  
9217-6536 QUÉBEC INC.**  
Debtors

- and -

**DELOITTE RESTRUCTURING INC.**  
Applicant/Monitor

- and -

**GOULDS PUMPS CANADA INC.  
GOULDS PUMPS INC.  
ITT GOULDS PUMPS INC.**  
Mis-en-cause

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**ORDER APPROVING THE SETTLEMENT OF THE PENAL PROCEEDINGS**

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**HAVING READ** the *Application for the Issuance of an Order Approving: (i) a Litigation Funding Agreement; (ii) a Litigation Financing Charge; (iii) the Transfer of Certain Litigation Proceedings before the Superior Court (Commercial Division); and (iv) an Agreement in Principle to Settle Certain Penal Proceedings*(the "**Application**") filed by Deloitte

Restructuring Inc., in its capacity as monitor to the Debtors (the “**Monitor**”) pursuant to the *Companies’ Creditors Arrangement Act*, RSC 1985, c C-36 (the “**CCAA**”), the exhibits and the affidavit filed in support thereof and the Monitor’s Eleventh Report to the Court dated June 17, 2021 (the “**Monitor’s Report**”);

**GIVEN** the notification of the Application;

**GIVEN** the Initial Order rendered on December 16, 2019 (as amended and restated on January 10, 2020, the “**Initial Order**”);

**GIVEN** the submissions of counsel and the testimony of the Monitor;

**GIVEN** the absence contestation to the orders sought;

**GIVEN** the provisions of the CCAA;

**THE COURT:**

[1] **GRANTS** part of the Application.

[2] **DECLARES** that all capitalized terms used but not otherwise defined in the present Order (this “**Order**”) shall have the meanings ascribed to them in the Initial Order or in the Application.

**Notification**

[3] **PERMITS** notification of this Order at any time and place and by any means whatsoever, including by email.

**Settlement of the Penal Proceedings**

[4] **APPROVES** the agreement in principle between Fortress Specialty and the DCPD described in the Application and the Monitor’s Report (the “**Agreement in Principle**”).

[5] **AUTHORIZES** the Monitor, for and on behalf of Fortress Specialty, to perform all acts, sign all documents and take any necessary action in connection with the Agreement in principle, including pleading guilty to the following notices of infraction:

5.1 100400-1116574312 in court file number 550-61-059649-182;

5.2 100400-1116574353 in court file number 550-61-059652-186;

5.3 100400-1116574346 in court file number 550-61-059651-188; and

5.4 Notice of infraction in court file number 550-61-070874-215.

[6] **TAKES ACT** of the DCPD’s undertaking to revoke the notices of infraction in court file numbers 550-61-059653-184, 550-61-059650-180, 550-61-070875-212 and 550-61-070876-210.

## **General Provisions**

- [7] **ORDERS** that Exhibit A-2 filed in support of the Application and Appendix A to the Monitor's Report are confidential and are filed under seal until further order from this Court.
- [8] **ORDERS** the provisional execution of this Order notwithstanding appeal, and without requirement to provide any security or provision for costs whatsoever.
- [9] **THE WHOLE** without costs.

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The Honourable Marie-Anne Paquette, J.S.C.