

**SUPERIOR COURT**

**(Commercial Division)**

**CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF TERREBONNE  
No. 700-11-022385-241**

**DATE: May 5, 2025**

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**PRESIDING: THE HONOURABLE MICHEL A. PINSONNAULT, J.S.C.**

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**IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF:**

**THE LION ELECTRIC COMPANY**

**-and-**

**LION ELECTRIC FINANCE CANADA INC.**

**-and-**

**LION ELECTRIC VEHICLE FINANCE CANADA INC.**

**-and-**

**LION ELECTRIC HOLDING USA INC.**

**-and-**

**NORTHERN GENESIS ACQUISITION CORP.**

**-and-**

**THE LION ELECTRIC CO. USA INC.**

**-and-**

**LION ELECTRIC MANUFACTURING USA INC.**

**-and-**

**LION ELECTRIC FINANCE USA INC.**

*Debtors*

**-and-**

**DELOITTE RESTRUCTURING INC.**

*Monitor*

-and-

**ADAM B. MULHALL**

*Petitioner*

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**ORDER LIFTING OF THE STAY OF PROCEEDINGS ON A PARTIAL AND LIMITED BASIS**

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- [1] **ON READING** the Petitioner's *De Bene Esse Motion for Declaratory Judgment and Alternative Nunc Pro Tunc Relief for Partial and Limited Lifting of the Stay of Proceedings Against the Impleaded Parties/Respondents* dated March 13, 2025 (the "**Motion**"), the affidavit and the exhibits in support thereof;
- [2] **CONSIDERING** the notification/service of the Motion;
- [3] **CONSIDERING** the provisions of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**");
- [4] **CONSIDERING** the orders rendered by this Court in the context of the present proceedings commenced by the Debtors under the CCAA (the "**CCAA Proceedings**"), including the Initial Order, rendered by this Court on December 18<sup>th</sup>, 2024 (as amended and restated, from time to time, the "**Initial Order**"), which ordered, *inter alia*, a stay of proceedings against the Debtors, their assets as well as against any former, present or future director or officer of any of the Debtors (the "**Directors and Officers**"), (the "**Stay of Proceedings**");
- [5] **CONSIDERING** the *Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff*, Exhibit **R-4** (the "**Authorization Application**"), filed by the Petitioner before this Honourable Court, in the District of Montreal, bearing Court Record number 500-06-001366-257 on February 21<sup>st</sup>, 2025, after the granting of the Initial Order;
- [6] **GIVEN** that the Petitioner and the Debtors have advised the Court that they have agreed to the partial and limited lifting of the Stay of Proceedings in accordance with the terms of the present Order, without, however, any admission whatsoever, each party reserving any and all of their rights, recourses and means of defence with respect to the Authorization Application;

**WHEREFORE, THE COURT:**

- [7] **GRANTS** the Motion in part;
- [8] **ORDERS** that the Stay of Proceedings ordered by this Court in the context of the CCAA Proceedings in respect of the Debtors' Directors and Officers is temporarily lifted, for the sole purpose of allowing, *nunc pro tunc*, the Petitioner, Adam B. Mulhall, to file the Authorization Application, Exhibit **R-4**, as of February 21<sup>st</sup>, 2025, against, *inter alia*, the Directors and Officers named as respondents in the Authorization Application, and further **ORDERS** that the Stay of Proceedings shall thereafter be immediately reinstated following the *nunc pro*

*tunc* relief granted herein, such that any and all actions and Proceedings (as defined in the Initial Order) as against the Directors and Officers, including in relation to the Authorization Application, shall not continue and shall remain subject to the Stay of Proceedings so long as such Stay of Proceedings remains in effect;

- [9] **DECLARES** that this Order and all other orders in these proceedings shall have full force and effect in all provinces and territories in Canada;
- [10] **ORDERS** the provisional execution of the present Order, notwithstanding any appeal and without the requirement to provide any security or provision for costs whatsoever;
- [11] **THE WHOLE WITHOUT COSTS.**

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**MICHEL A. PINSONNAULT, J.S.C.**  
JP1736

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