

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL**

SUPERIOR COURT
(Commercial Division)

(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act, RSC 1985,
c. C-36)

No.: 500-11-061483-224

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

FORMERXBC INC. (formerly **XEBEC ADSORPTION
INC.**)

-and-

11941666 CANADA INC. (formerly **XEBEC RNG
HOLDINGS INC.**)

-and-

APPLIED COMPRESSION SYSTEMS LTD.

-and-

1224933 ONTARIO INC. (formerly **COMPRESSED
AIR INTERNATIONAL INC.**)

-and-

FORMERXBC HOLDING USA INC. (formerly
XEBEC HOLDING USA INC.)

-and-

ENERPHASE INDUSTRIAL SOLUTIONS, INC.

-and-

CDA SYSTEMS, LLC

-and-

FORMERXBC ADSORPTION USA INC. (formerly
XEBEC ADSORPTION USA INC.)

-and-

FORMERXBC PENNSYLVANIA COMPANY
(formerly **THE TITUS COMPANY**)

-and-

FORMERXBC NOR CORPORATION (formerly
NORTEKBELAIR CORPORATION)

-and-

FORMERXBC FLOW SERVICES – WISCONSIN INC. (formerly **XBC FLOW SERVICES – WISCONSIN INC.**)

-and-

CALIFORNIA COMPRESSION, LLC

-and-

FORMERXBC SYSTEMS USA, LLC (formerly **XEBEC SYSTEMS USA, LLC**)

Debtors / Petitioners

-and-

DELOITTE RESTRUCTURING INC.

Monitor

APPLICATION FOR AN EXTENSION OF THE STAY OF PROCEEDINGS

(Sections 11 and 11.02 of the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36)

TO THE HONOURABLE JUSTICE CHRISTIAN IMMER, J.S.C., SITTING IN COMMERCIAL DIVISION, IN THE JUDICIAL DISTRICT OF MONTRÉAL, THE DEBTORS / PETITIONERS RESPECTFULLY SUBMIT AS FOLLOWS:

I. INTRODUCTION

1. The Debtors / Petitioners FormerXBC Inc. (formerly Xebec Adsorption Inc.), 11941666 Canada Inc. (formerly Xebec RNG Holdings Inc.), Applied Compression Systems Ltd., 1224933 Ontario Inc. (formerly Compressed Air International Inc.), FormerXBC Holding USA Inc. (formerly Xebec Holding USA Inc.), Enerphase Industrial Solutions, Inc., California Compression, LLC, CDA Systems, LLC, FormerXBC Adsorption Inc. (formerly Xebec Adsorption USA Inc.), FormerXBC Pennsylvania Company (formerly The Titus Company), FormerXBC NOR Corporation (formerly Nortekbelair Corporation), FormerXBC Systems USA, LLC (formerly Xebec Systems USA, LLC), FormerXBC Flow Services – XBC Wisconsin Inc. (formerly XBC Flow Services – Wisconsin Inc.) (collectively, the “**Petitioners**”) form part of a global provider of sustainable gas solutions used in energy, mobility and industry applications, headquartered in Montréal, Québec.
2. By the present Application, the Petitioners are seeking the issuance of an order extending the Stay Period (as defined below) until May 24, 2023 (the “**Extension Date**”), substantially in the form of the draft Order Extending the Stay of Proceedings communicated herewith as **Exhibit P-1**.

II. PROCEDURAL BACKGROUND

3. On September 29, 2022, at the Petitioners' request, the Court issued a First Day Initial Order (the "**FDIO**") pursuant to the CCAA and a Bidding Procedures Order (the "**Bidding Procedures Order**"), as appears from the Court record.
4. The FDIO, *inter alia*:
 - (a) appointed Deloitte Restructuring Inc. as monitor of the Petitioners' CCAA proceedings (the "**Monitor**");
 - (b) ordered a stay of proceedings in respect of the Petitioners and their directors and officers until October 7, 2022, as extended thereafter (the "**Stay**"); and
 - (c) declared that Québec is the "center of main interest" of the Petitioners and, accordingly, authorized the Petitioners to apply, as they may consider necessary or desirable, to any other court, tribunal, regulatory, administrative or other body, wherever located, for orders to recognize and/or assist in carrying out the terms of the Initial Order and any subsequent Orders rendered by this Court in the context of these proceedings, including, without limitation, orders under Chapter 15 of the United States Bankruptcy Code 11 U.S.C. §§ 101-1532.
5. The Bidding Procedures Order, *inter alia*, approved the proposed Sale and Investment Solicitation Process (the "**SISP**") and its implementation in accordance with the Procedures for the Sale and Investment Solicitation Process annexed thereto as Schedule "A", as appears from the Court record.
6. The Bidding Procedures Order also approved the engagement of National Bank Financial Inc. ("**NBF**") to assist in the implementation of the SISP.
7. Subsequent proceedings and orders of this Court germane to this Application are described below.
8. On October 20, 2022, at the Petitioners' request, the Court issued an Amended and Restated Initial Order (the "**ARIO**") pursuant to the CCAA, as appears from the Court record.
9. The ARIO, *inter alia*:
 - (a) extended the Stay until November 28, 2022; and
 - (b) approved the debtor-in-possession evolving multiple draw credit facility (the "**First DIP Facility**") provided by the National Bank of Canada ("**NBC**") and Export Development Canada ("**EDC**", and collectively with NBC, the "**Interim Lenders**") in accordance with the Interim Financing Term Sheet filed under seal as Exhibit P-2A in support of the Application for the

Issuance of an Amended and Restated Initial Order and granted a Court-ordered charge in an amount sufficient to cover the potential exposure of the Interim Lenders under the First DIP Facility.

10. On February 3, 2023, at the Petitioners' request, the Court issued a Second Amended and Restated Initial Order (the "**Second ARIO**"), pursuant to the CCAA, as appears from the Court record.
11. The Second ARIO, *inter alia*:
 - (a) extended the Stay until February 13, 2023; and
 - (b) increased the Administration Charge to a maximum amount of \$3,000,000.
12. On February 13, 2023, at the Petitioners' request, the Court issued a Third Amended and Restated Initial Order (the "**Third ARIO**"), pursuant to the CCAA, as appears from the Court record.
13. The Third ARIO, *inter alia*:
 - (a) extended the Stay until March 17, 2023;
 - (b) approved the Second DIP Facility provided by EDC and approved the execution by the Petitioners of the Second DIP Term Sheet (as defined in the Third ARIO) and granted a Court-ordered charge (the "**Second DIP Charge**"); and
 - (c) declared that at the earliest between the disbursement of the initial advance of \$1,250,000 by EDC or payments in the aggregate amount of \$1,100,000 by the Monitor of outstanding invoices to the beneficiaries of the Administration Charge (as defined in the Third ARIO) out of the net proceeds from the Ivys Transaction, the Sullair Transaction and/or the FSTQ Transaction, the Administration Charge shall be reduced by an amount equal to \$750,000 to an amount equal to \$2,250,000 and upon the disbursement of the second advance of \$1,250,000 by EDC, further reduced by an amount equal to \$750,000 to an amount equal to \$1,500,000.
14. On February 21, 2023, in accordance with the Third ARIO, the Monitor issued a certificate confirming that the initial advance of \$1,250,000 by EDC contemplated in the Third ARIO had been received and the Administration Charge accordingly reduced to \$2,250,000.
15. On March 16, 2023, at the Petitioners' request, the Court issued a Fourth Amended and Restated Initial Order (the "**Fourth ARIO**"), pursuant to the CCAA, as appears from the Court record.
16. The Fourth ARIO, *inter alia*:

- (a) extended the Stay until May 5, 2023 (the “**Stay Period**”);
 - (b) declared that the certificates of the Monitor to be issued and filed in the Court record pursuant to the Monitor Payments Order (as defined below) shall validly reduce and/or discharge the CCAA Charges (as defined in the Fourth ARIO), as applicable, without the necessity of any amendment to the Monitor Payments Order or of any other orders of the Court.
 - (c) approved an amendment to the list of participants in the KERPs.
17. On the same date, the Court also issued:
- (a) an Approval, Vesting and Assignment Order with respect to the sale of substantially all assets of FormerXBC Pennsylvania Company (formerly The Titus Company) (the “**Fluid-Aire Transaction**”);
 - (b) an Approval, Vesting and Assignment Order with respect to the sale of substantially all assets of FormerXBC Flow Services – XBC Wisconsin Inc. (formerly XBC Flow Services – Wisconsin Inc.) (the “**Total Energy Transaction**”); and
 - (c) an Approval, Vesting and Assignment Order with respect to the sale of substantially all assets of FormerXBC Systems USA, LLC (formerly Xebec Systems USA, LLC) (the “**EnergyLink Transaction**”);
- the whole as appears from the Court record.
18. On March 16, 2023, at the Monitor’s request, the Court issued an Order Authorizing the Monitor to Pay Certain Amounts Owed to Beneficiaries of CCAA Charges (the “**Monitor Payments Order**”), as appears from the Court record.
19. The Monitor Payments Order, *inter alia*:
- (a) authorized the Monitor to pay from the net proceeds of the previously closed transactions, amounts owed under the DIP Charge, Second DIP Charge and the Transaction DIP Charge, as and when they become due;
 - (b) declared that upon making payments under the DIP Charge, Second DIP Charge and Transaction Charge, and receiving confirmation, respectively of the Interim Lenders, EDC and NBF of the reimbursement of the obligations secured by these charges, the Monitor shall notify and file with the Court record a certificate confirming and effecting the cancellation and discharge of the DIP Charge, the Second DIP Charge and the Transaction Charge;
 - (c) authorized the Monitor to pay from the net proceeds of the previously closed transactions, amounts owed under the KERP as and when they become due; and

- (d) declared that upon making payments under the KERP Charge, the Monitor shall notify and file with the Court record a certificate confirming and effecting the reduction and/or cancellation and discharge of the KERP Charge, as the case may be, in an amount equivalent to the payments made.
20. On March 17, 2023, in accordance with the Third ARIO and the Monitor Payments Order, the Monitor issued a certificate confirming that the second advance of \$1,250,000 by EDC contemplated in the Third ARIO had been received and the Administration Charge accordingly reduced to \$1,500,000.
 21. On March 23, 2023, in accordance with the Monitor Payments Order, the Monitor issued certificates confirming that the obligations secured by the Transaction Charge, the DIP Charge and the Second DIP Charge had been fully satisfied and that the Transaction Charge, DIP Charge and Second DIP Charge had been accordingly cancelled and discharged.
 22. On March 24, 2023, in accordance with the Monitor Payments Order, the Monitor issued a certificate confirming that the amount of the KERP Charge had been reduced to \$400,000 following payment of amounts owed under the KERP.
 23. On March 27, 2023, at the Petitioners' request, the Court issued a Fifth Amended and Restated Initial Order (the "**Fifth ARIO**"), pursuant to the CCAA, as appears from the Court record.
 24. The Fifth ARIO, *inter alia*:
 - (a) approved the Third DIP Facility to be provided to the Petitioners pursuant to a Third DIP Term Sheet (as defined in the Fifth ARIO) dated as of March 22, 2023, negotiated between the Petitioners and EDC pursuant to which EDC agreed to provide interim financing to the Petitioners, and granting a Third DIP Charge (as defined in the Fifth ARIO) in an amount sufficient to cover the potential exposure of EDC under the Third DIP Facility; and
 - (b) declared that upon the disbursement of the initial advance of \$1,500,000 by EDC as contemplated in the Third DIP Term Sheet and the issuance by the Monitor of a certificate confirming same, the Administration Charge shall be reduced to an amount equal to \$1,250,000 and upon the disbursement of the second advance of \$1,950,000 by EDC and the issuance by the Monitor of a certificate confirming same, further reduced to an amount equal to \$1,000,000.
 25. The Fluid-Aire Transaction, Total Energy Transaction and EnergyLink Transaction closed on March 20, March 23 and April 5, 2023, respectively.
 26. On April 13, 2023, in accordance with the Third ARIO, the Monitor issued a certificate confirming that the initial advance of \$1,500,000 by EDC contemplated

in the Fifth ARIO had been received and the Administration Charge accordingly reduced to \$1,250,000.

27. As more fully appears from the Petitioners' Application for a *de bene esse* authorization to execute a settlement agreement and for a partial lift of the stay of proceedings (the "**Settlement Application**"), filed on or about the date hereof, the Petitioners have reached an agreement with Maurice Leclair and Evert Schuringa, plaintiffs in class action proceedings before the Superior Court of Québec, District of Montréal (Class Action Division), docket number 500-06-001135-215, (the "**Class Action Settlement**").

III. RESTRUCTURING EFFORTS SINCE THE FIFTH ARIO

28. Since the issuance of the Fifth ARIO, the Petitioners, under the supervision of the Monitor, have:
- (a) closed the EnergyLink Transaction;
 - (b) continued the wind down of the Petitioners' activities;
 - (c) advanced discussions with other interested parties with a view of entering into definitive agreements relating to the sale of certain remaining assets;
 - (d) negotiated the terms of the Class Action Settlement and filed the Settlement Application, which will be presented concurrently herewith; and
 - (e) prepared a revised and updated cash flow statement covering the period until the Extension Date (as defined below), in consultation with the Monitor.
29. On the same date and in accordance with the Monitor Payments Order, the Monitor issued a certificate confirming that the amount of the KERP Charge had been reduced to \$100,000 following payment of amounts owed under the KERP.

IV. GROUNDS FOR THE EXTENSION OF THE STAY OF PROCEEDINGS

30. Since the issuance of the Fifth ARIO, the Petitioners have acted and continue to act in good faith and with due diligence.
31. The Stay Period currently expires on May 5, 2023.
32. It is respectfully submitted that the extension of the Stay Period to the Extension Date is required to provide the Petitioners with sufficient time to, *inter alia*:
- (a) continue discussions with interested parties with a view to entering into definitive agreements relating to the sale of certain remaining assets;

- (b) continue to wind down the Petitioners' activities, in consultation with the Monitor and, as required, seek such additional relief from this Court as may be required in connection with the filing of one or more plan(s) of arrangement for the benefit of the Petitioners' creditors, as applicable; and
 - (c) work towards the approval of the Class Action Settlement before the Superior Court of Québec (Class Action Division), to the extent the Settlement Application is granted by this Court.
33. The extension of the Stay Period to the Extension Date will also allow the Monitor to continue its preparation of the proposed allocation pursuant to paragraph 30 of the Fifth ARIO, which will be notified to the service list and presented to the Court in due time.
34. The Petitioners have paid their suppliers, employees and other creditors for the sums due from the date of the Fifth ARIO in the ordinary course of business and intend to continue doing so.
35. The Petitioners' cash flow is sufficient to continue operations up to and until the Extension Date, as will appear from the Monitor's report to be filed with the Court on or about the date hereof. The Petitioners do not require additional financing beyond the Third DIP for the sought extension period.
36. No creditor will be unduly prejudiced by the extension sought.

V. CONCLUSION

37. The Monitor has informed the Petitioners that it supports the present Application.
38. The Petitioners respectfully submit that they are justified to seek provisional execution of the order to be rendered on the present Application notwithstanding appeal, considering that the relief sought herein is beneficial for their stakeholders, and a stay of execution thereof would be detrimental to the value of their assets and to the potential recovery of their respective creditors.
39. For the reasons set forth above, the Petitioners respectfully submit that it is both appropriate and necessary that this Honourable Court render the order sought herein.

FOR THESE REASONS, MAY IT PLEASE THIS HONOURABLE COURT TO:

GRANT the present *Application for an Extension of the Stay of Proceedings* (the "**Application**");

ISSUE an order substantially in the form of the draft Order Extending the Stay of Proceedings communicated in support of the Application as **Exhibit P-1**;

ORDER the provisional execution of the order to be rendered on the Application notwithstanding appeal and without security;

THE WHOLE WITHOUT COSTS, save in the event of contestation.

MONTREAL, April 28, 2023

Osler, Hoskin & Harcourt LLP

Osler, Hoskin & Harcourt LLP

Mtre. Sandra Abitan | Mtre. Julien Morissette |

Mtre. Ilya Kravtsov | Mtre. Sophie Courville

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Our file: 1233913

AFFIDAVIT

I the undersigned, Dimitrios Vounassis, domiciled for the purpose hereof at 1000 De La Gauchetière Street West, Suite 2100, Montréal, Québec, H3B 4W5, solemnly declare the following:

1. I am the President and CEO of FormerXBC Inc. (formerly Xebec Adsorption Inc.) and a duly authorized representative of the Debtors / Petitioners for the purposes hereof.
2. I have taken cognizance of the attached *Application for an Extension of the Stay of Proceedings* (the "**Application**").
3. All of the facts alleged in the Application of which I have personal knowledge are true.
4. Where the facts alleged in the Application have been obtained from others, I believe them to be true.

AND I HAVE SIGNED:



Dimitrios Vounassis

SOLEMNLY DECLARED BEFORE ME BY
VIRTUAL MEANS IN LASALLE, QUÉBEC,
ON APRIL 28, 2023.



France Boulais
Commissioner for Oaths for the Province of
Québec

**NOTICE OF PRESENTATION
COMMERCIAL DIVISION**

TO: SERVICE LIST (See attached)

1. PRESENTATION OF THE PROCEEDING

TAKE NOTE that the *Application for an Extension of the Stay of Proceedings* will be presented for adjudication before the Commercial Division of the Superior Court of Québec, in Courtroom **15.04** of the Montréal Courthouse during the virtual calling of the roll on **May 5, 2023, at 9:30 a.m.**

2. HOW TO JOIN THE VIRTUAL CALLING OF THE ROLL

The contact information to join the virtual calling of the roll in room 15.04 is as follows:

By Teams: by clicking on the link available at <http://www.tribunaux.qc.ca> ("*Liens TEAMS pour rejoindre les salles du Palais de justice*"):

You must then enter your name and click "Join now" ("*Rejoindre maintenant*"). To facilitate the process and the identification of participants, we ask that you enter your name in the following manner:

Attorneys: Mtre Name, Surname (name of party represented)

Trustees: Name, Surname (trustee)

Superintendent: Name, Surname (superintendent)

Parties not represented by an attorney: Name, Surname (specify: plaintiff, defendant, applicant, respondent, creditor, opposing party, or other)

Persons attending a public hearing may simply indicate "public".

By telephone:

Canada, Québec (Charges will apply): +1 581-319-2194

Canada (Toll-free): (833) 450-1741

Conference ID: 436 929 434#

By VTC videoconference: teams@teams.justice.gouv.qc.ca

Videoconference ID: 1167171546

In person: If and only if you do not have access to one of the above-mentioned technological means. You may then go to room 15.04 of the Montréal Courthouse located at:

1, Notre-Dame Street East, Montréal, Québec.

3. DEFAULT TO PARTICIPATE IN THE VIRTUAL CALLING OF THE ROLL

TAKE NOTICE that in accordance with the Second Amended and Restated Initial Order, if you wish to contest this Application, you must serve responding materials or a notice stating the objection to the Application and the grounds for such objection in writing to the Petitioners and the Monitor, with a copy to all persons on the Service List, no later than **5:00 P.M. on May 2, 2023**, and participate at the virtual calling of the roll, failing which, judgment may be rendered during the presentation of the proceeding, without further notice or delay.

4. OBLIGATIONS

4.1 Duty of cooperation

TAKE NOTE that the parties are duty-bound to cooperate and, in particular, to keep one another informed at all times of the facts and particulars conducive to a fair debate and make sure that relevant evidence is preserved (s. 20, *Code of Civil Procedure*).

4.2 Dispute prevention and resolution processes

TAKE NOTE that the parties must consider private prevention and resolution processes before referring their dispute to the courts, which are namely negotiation, mediation or arbitration, for which the parties call on a third party (*Code of Civil Procedure*, art. 2).

DO GOVERN YOURSELF ACCORDINGLY.

MONTRÉAL, April 28, 2023

Osler, Hoskin & Harcourt LLP

Osler, Hoskin & Harcourt LLP
Attorneys for the Debtors / Petitioners

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL**

SUPERIOR COURT
(Commercial Division)

(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act, RSC 1985,
c. C-36)

No.: 500-11-061483-224

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

FORMERXBC INC. (formerly **XEBEC ADSORPTION
INC.**)

-and-

11941666 CANADA INC. (formerly **XEBEC RNG
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-and-

FORMERXBC NOR CORPORATION (formerly
NORTEKBELAIR CORPORATION)

-and-

**FORMERXBC FLOW SERVICES – WISCONSIN
INC. (formerly XBC FLOW SERVICES –
WISCONSIN INC.)**

-and-

CALIFORNIA COMPRESSION, LLC

-and-

**FORMERXBC SYSTEMS USA, LLC (formerly
XEBEC SYSTEMS USA, LLC)**

Debtors / Petitioners

-and-

DELOITTE RESTRUCTURING INC.

Monitor

LIST OF EXHIBITS

P-1: Draft Order Extending the Stay of Proceedings

MONTRÉAL, April 28, 2023

Osler, Hoskin & Harcourt LLP

Osler, Hoskin & Harcourt LLP
Attorneys for Debtors / Petitioners

EXHIBIT P-1

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No.: 500-11-061483-224

DATE: May 5, 2023

BEFORE THE HONOURABLE CHRISTIAN IMMER, J.S.C.

IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF:

**FORMERXBC INC. (FORMERLY XEBEC ADSORPTION INC.)
11941666 CANADA INC. (FORMERLY XEBEC RNG HOLDINGS INC.)
APPLIED COMPRESSION SYSTEMS LTD.
1224933 ONTARIO INC. (FORMERLY COMPRESSED AIR INTERNATIONAL INC.)
FORMERXBC HOLDING USA INC. (FORMERLY XEBEC HOLDING USA INC.)
ENERPHASE INDUSTRIAL SOLUTIONS, INC.
CDA SYSTEMS, LLC
FORMERXBC ADSORPTION USA INC. (FORMERLY XEBEC ADSORPTION USA INC.)
FORMERXBC PENNSYLVANIA COMPANY (FORMERLY THE TITUS COMPANY)
FORMERXBC NOR CORPORATION (FORMERLY NORTEKBELAIR CORPORATION)
FORMERXBC FLOW SERVICES – WISCONSIN INC. (FORMERLY XBC FLOW
SERVICES – WISCONSIN INC.)
CALIFORNIA COMPRESSION, LLC
FORMERXBC SYSTEMS USA, LLC (FORMERLY XEBEC SYSTEMS USA, LLC)
Debtors / Petitioners**

and

DELOITTE RESTRUCTURING INC.
Monitor

ORDER EXTENDING THE STAY OF PROCEEDINGS

- [1] **CONSIDERING** the *Application for an Extension of the Stay of Proceedings* (the “**Application**”) pursuant to the *Companies’ Creditors Arrangement Act*, RSC 1985, c C-36, as amended (“**CCAA**”) and the exhibit and the affidavit of Mr. Dimitrios Vounassis, filed in support thereof;
- [2] **CONSIDERING** the Ninth Report of the Monitor dated May ●, 2023;
- [3] **CONSIDERING** the submissions of counsel;
- [4] **GIVEN** the provisions of the CCAA;
- [5] **GIVEN** the Fifth Amended and Restated Initial Order rendered by the Court on March 27, 2023 (the “**Fifth ARIO**”);

THE COURT HEREBY:

- [6] **GRANTS** the Application.
- [7] **EXTENDS** the Stay Period (as defined in the Fifth ARIO) to and including May 24, 2023.
- [8] **DECLARES** that this Order and all other orders in these proceedings shall have full force and effect in all provinces and territories in Canada.
- [9] **REQUESTS** the aid and recognition of any Court, tribunal, regulatory or administrative body in any Province of Canada and any Canadian federal court or in the United States of America, including without limitation the United States Bankruptcy Court for the District of Delaware, and any court or administrative body elsewhere, to give effect to this Order and to assist the Petitioners, the Monitor and their respective agents in carrying out the terms of this Order.
- [10] **ORDERS** the provisional execution of this Order notwithstanding appeal and without security.
- [11] **THE WHOLE WITHOUT COSTS.**

Christian Immer, J.S.C.

500-11-061483-224

PAGE: 3

MTRE JULIEN MORISSETTE
MTRE ILIA KRAVTSOV
MTRE SOPHIE COURVILLE
(OSLER HOSKIN & HARCOURT LLP)
COUNSEL TO THE PETITIONERS

Hearing date: May 5, 2022

No: 500-11-061483-224

**SUPERIOR COURT
(Commercial Division)**

(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act, RSC 1985, c.
C-36)

DISTRICT OF MONTRÉAL

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

FORMERXBC INC. & AL

Debtors / Petitioners

and.

DELOITTE RESTRUCTURING INC.

Monitor

**APPLICATION FOR AN EXTENSION OF THE
STAY OF PROCEEDINGS, AFFIDAVIT, NOTICE
OF PRESENTATION, LIST OF EXHIBITS,
EXHIBIT P-1 (Sections 11 and 11.02 of the
Companies' Creditors Arrangement Act,
RSC 1985, c C-36)**

ORIGINAL

Osler, Hoskin & Harcourt LLP

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Code: BO 0323

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