

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

XEBEC HOLDING USA INC., *et al.*,

Debtors in a foreign proceeding.<sup>2</sup>

Chapter 15

Case No. 22-10934 (KBO)

Jointly Administered

**ORDER GRANTING AIR PRODUCTS & CHEMICALS, INC.’S REQUEST TO  
MODIFY THE AUTOMATIC STAY**

This matter coming before the Court upon the *Certification of Counsel Regarding Agreement Between Air Products and Chemicals, Inc. and FormerXBC Systems USA LLC* (the “Certification”), the Court having reviewed the Certification and the Agreement<sup>3</sup>, the Court having determined that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference from the United States District Court for the District of Delaware, dated February 29, 2012; (b) venue is proper in this district pursuant to 28 U.S.C. § 1409; (c) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and (d) notice of the Certification was sufficient under the circumstances; and after due deliberation and having considered the Certification and the Agreement, the Court, upon consent by the Monitor and the applicable secured creditors, having determined that good and adequate cause exists for approval and implementation of the settlement between UEC and Air Products described in the Agreement

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<sup>2</sup> The Debtors in the chapter 15 proceedings and the last four digits of their federal tax identification numbers are: FormerXBC Inc. (f/k/a Xebec Adsorption Inc.) (0228), 11941666 Canada Inc. (f/k/a Xebec RNG Holdings Inc.) (N/A), Applied Compression Systems Ltd. (N/A), 1224933 Ontario Inc. (f/k/a Compressed Air International Inc.) (N/A), Xebec Holding USA Inc. (8495), Enerphase Industrial Solutions Inc. (1979), CDA Systems, LLC (6293), Xebec Adsorption USA, Inc. (0821), The Titus Company (9757), Nortekbelair Corporation (1897), XBC Flow Services – Wisconsin Inc. (7493), California Compression, LLC (4752), and Xebec Systems USA LLC (4156). The location of the Debtors’ corporate headquarters and the Debtors’ foreign representative is: 730 Industriel Boulevard, Blainville, Québec V4, Canada.

<sup>3</sup>Terms capitalized but undefined herein shall have the meaning ascribed to them in the Agreement or the Certification, as applicable.

and Certification and for a related modification of the territorial stay in place in these chapter 15 cases, IT IS HEREBY ORDERED THAT:

1. The automatic stay pursuant to 11 U.S.C. §§ 362(d) and 1520(a)(1) is modified as follows:

- a. Air Products or its designee may enter the Henderson Facility at the earliest possible date agreed upon by Air Products and UEC, but in any event no later than April 6, 2023, and UEC, at its own cost, shall permit and facilitate Air Products' (including any Air Products designee, such as a third party contractor) ingress and access to the Henderson Facility to recover the Air Products Property, and egress from the Henderson Facility with the Air Products Property. UEC has represented that the Skid and the remaining Air Products Property have been prepared for delivery to Air Products and shall direct Air Products to the place the Air Products Property is located in the Henderson Facility.
- b. Air Products may remove the Skid and any other Air Products Property from the Henderson Facility. UEC shall provide Air Products with project-specific drawings and work in progress produced by UEC under the Agreement, including, all plans, drawings, specifications and other documents relating to the Skid and the Project.

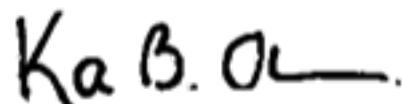
2. The stay of this Order under Federal Rules of Bankruptcy Procedure 4001(a)(3) shall not apply and this Order shall be effective immediately.

3. In addition to the specific requirements of paragraph I hereof, the Parties shall reasonably cooperate in implementing this Order.

4. The Parties are authorized to take all action necessary or appropriate to implement the Order and the Agreement.

5. This Court retains jurisdiction over any disputes relating to the implementation of this Order.

Dated: April 6th, 2023  
Wilmington, Delaware

Handwritten signature of Karen B. Owens in black ink.

KAREN B. OWENS  
UNITED STATES BANKRUPTCY JUDGE