

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) TUESDAY, THE 14th
)
JUSTICE McEWEN) DAY OF DECEMBER, 2021
)

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED
(the "**CCAA**")

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF EXPRESS GOLD REFINING LTD.
(the "**Applicant**")

**ORDER
(Approval of Second Amended and Restated Protocol)**

THIS MOTION by the Applicant pursuant to the CCAA was heard before me on December 14, 2021 at 330 University Avenue, Toronto, by videoconference due to the COVID-19 pandemic.

ON READING the confidential supplement to the seventh report (the "**Supplement**") of Deloitte Restructuring Inc. in its capacity as court-appointed monitor (in such capacity, the "**Monitor**") and the confidential appendix "A" attached thereto (the "**Confidential Appendix**"), and upon noting the consent of the Applicant, the Monitor and the Canada Revenue Agency to this order:

1. **THIS COURT ORDERS** that further service of the Supplement is hereby dispensed with.

2. **THIS COURT ORDERS** that the Second Amended and Restated Protocol dated December 15, 2021, of which a copy is the Confidential Appendix, is hereby approved.

3. **THIS COURT ORDERS** that the Supplement, together with the Confidential Appendix, are hereby sealed from the public record until further court order and that paragraphs 16, 17 and 18 of the second amended and restated initial order made in this file by McEwen J. on October 27, 2020 hereby apply to the Second Amended and Restated Protocol as though named therein.

4. This order is effective as of its date at 12:01 am and does not need to be issued or entered.

A handwritten signature in cursive script, appearing to read 'McEwen J.', is positioned above a horizontal line.

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,
R.S.C. 1985, c. C-36**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF EXPRESS GOLD REFINING LTD.**

14 Dec 22

Order to go as per the draft filed and signed. The relief sought is fair and reasonable. A sealing order shall go as the Sierra Club criteria is met.



**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
Proceeding commenced in TORONTO**

**ORDER
(Approval of Second Amended and Restated Protocol)**

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