

ONTARIO
**SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE

)

FRIDAY, THE 7th

MR. JUSTICE PENNY

)

DAY OF JUNE, 2019

)



**IN THE MATTER OF THE PROPOSAL OF FT ENE CANADA INC.,
OF THE CITY OF BRANTFORD, IN THE PROVINCE OF ONTARIO**

**ORDER
(Corollary Relief)**

THIS MOTION, made by FT EnE Canada Inc. (the “**Company**”), for an order for certain corollary relief, in conjunction with an Approval and Vesting Order sought by the Company and granted by the Court this day, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Company, and the Third Report (“**Third Report**”) of MNP Ltd., in its capacity as proposal trustee in the proposal of the Company (“**Trustee**”), and on hearing submissions of counsel for the Company, the Trustee, Finetex EnE, Inc., Royal Bank of Canada (“**Bank**”), and all other persons present as set out on the Counsel Slip, no one appearing for any other person on the Service List, although properly served as appears from the affidavit of service of Ariyana Botejue, sworn May 29, 2019, filed,

1. **THIS COURT ORDERS** that the Company be and is hereby authorized and directed to make distributions to the Bank from the net proceeds of sale of the transaction of purchase and sale (“**Transaction**”) up to the amount of the secured obligations owing to the Bank.

2. **THIS COURT FURTHER ORDERS** that the Company be and is hereby authorized and directed to pay to the Trustee the amount of the Reserve, as referenced in paragraphs 57 and 58 of the Report.

3. **THIS COURT FURTHER ORDERS** that the Third Report and the actions and activities of the Trustee, as described in the Third Report, be and are hereby approved, provided that only the Trustee, in its personal capacity and only with respect to its personal capacity, shall be entitled to rely upon or utilize in any way such approval.

4. **THIS COURT FURTHER ORDERS** that Confidential Appendices 1, 2 and 3 to the Third Report shall be sealed, kept confidential and shall not form part of the public record pending further Order of this Court or the completion of the Transaction.

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to consist of a large 'P' followed by a cursive 'e' and a '3'. There are some blue ink smudges above and to the right of the signature.

IN THE BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF THE PROPOSAL OF FT ENE CANADA INC., OF THE CITY OF BRANTFORD, IN THE PROVINCE OF ONTARIO

MNP Ltd. In its capacity as Licensed Insolvency Trustee of FT ENE Canada Inc.

Commercial List Court File No. 32-2480036

**ONTARIO
SUPERIOR COURT OF JUSTICE**

COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

Blaney McMurtry LLP
2 Queen Street East, Suite 1500
Toronto, ON, M5C 3G5

Mr. Mervyn Abramowitz (LSO #28325R)
Certified Specialist, Civil Litigation, Bankruptcy and
Insolvency Law

Tel: (416) 597-4887

Fax: (416) 594-4289

Email: mabramowitz@blaney.com

Ms. Alexandra Teodorescu (LSO #63889D)

Tel: (416) 596-4289

Fax: (416) 594-2506

Email: ateodorescu@blaney.com

Counsel for FT ENE Canada Inc.