

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MADAM) THURSDAY, THE 4TH
)
JUSTICE STEELE) DAY OF JULY, 2024
)

B E T W E E N:

2444467 ONTARIO INC. and JAMES TONN

Applicants

and

**EXV INC., EXPONENTIAL DIGITAL TRADING INC.,
EXPONENTIAL CAPITAL & MARKETS INC.,
EXPONENTIAL ADVISORS CORP., DIGITAL ASSET FUND CORP.,
TRIBE INC., DIGITAL VENTURE FUND GP INC.,
DIGITAL VENTURE FUND LP and JAMES WALLACE MCCREARY**

Respondents

ORDER

THIS MOTION, made by MNP Ltd., in its capacity as court-appointed receiver (the “**Receiver**”) of all of the assets, undertakings and properties of ExV Inc., Exponential Digital Trading Inc., Exponential Capital & Markets Inc., Exponential Advisors Inc., Digital Asset Fund Corp., tribe inc., Digital Venture Fund GP Inc. and Digital Venture Fund LP, for an order, *inter alia* (a) approving the Liquidation Process (as defined in the Second Report of the Receiver dated June 5, 2024 (the “**Second Report**”)) and authorizing the Receiver to conduct same; (b) authorizing the Receiver to make distributions to the 3rd Party Investors as described in the Second Report; and (c) approving the Receiver’s activities as described in the Second Report, was heard this day by video conference.

ON READING the Second Report and on hearing the submissions of counsel for the Receiver, counsel for the Applicants, counsel for the Respondents, and counsel for Kyle Fry:

1. **THIS COURT ORDERS** that the Liquidation Process is hereby approved, and the Receiver is hereby authorized to conduct the Liquidation Process.

2. **THIS COURT ORDERS** that the Receiver is hereby authorized to make distributions to the 3rd Party Investors as described in the Second Report.

3. **THIS COURT ORDERS** that the Second Report and the conduct and activities of the Receiver as set out therein, be and are hereby approved; provided, however, that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

2444467 ONTARIO INC. et al
Applicant

- AND -

EXV INC., et al
Respondent

Court File No. CV-20-00649768-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
Proceedings commenced at TORONTO

ORDER

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