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COURT ADMINISTRATION

Hfx No. 453673

**SUPREME COURT OF NOVA SCOTIA**

**IN THE MATTER OF:** The *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 as amended

- and -

**IN THE MATTER OF:** A Plan of Compromise or Arrangement of Hefler Forest Products Limited



**DISCHARGE ORDER**

**BEFORE THE HONOURABLE JUSTICE GLEN MCDUGALL, IN CHAMBERS**

**UPON MOTION** by Green Landers Limited ("Green Landers"), in its capacity as Monitor (the "**Monitor**") for Hefler Forest Products Limited (the "**Applicant**") for an Order approving the Monitor's actions, reports and fees, as well as the fees of its counsel, discharging the Monitor and terminating these CCAA proceedings;

**UPON READING** the Eighth Report of the Monitor dated April 24, 2017 (the "Eighth Report") and the Ninth Report of the Monitor dated August 28<sup>th</sup>, 2017 (the "**Ninth Report**"), the latter of which includes affidavits from Ross Landers and from D. Bruce Clarke, Q.C.;

**AND UPON HEARING** D. Bruce Clarke, Q.C., counsel for the Monitor, together with such other counsel as were present;

**NOW UPON MOTION:**

**IT IS HEREBY ORDERED AND DIRECTED THAT:**

1. Any capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Ninth Report.

**APPROVAL OF ACTIVITIES**

2. The actions of the Monitor as described in its Reports to the Court are hereby approved.

### APPROVAL OF FEES AND DISBURSEMENTS

3. The fees and disbursements of the Monitor for the period from July 13, 2016 to August 24, 2017, inclusive, as set out in the Ninth Report, are hereby approved.
4. The fees and disbursements of the Monitor's counsel, Burchells LLP ("Burchells") for the period from July 26, 2016 to August 24, 2017, inclusive, as set out in the Ninth Report are hereby approved.
5. The estimated fees and disbursements of the Monitor and Monitor's counsel to complete their remaining duties and the administration of these CCAA Proceedings, as set out in the Ninth Report, are hereby approved.

### DISCHARGE OF THE MONITOR

6. Green Landers is discharged as Monitor of the Applicant and shall have no further duties as Monitor, save and except as set out in paragraph 5 of the Ninth Report and paragraph 7 herein. Green Landers' discharge is effective immediately on the filing of a certificate with the Court (the "**Discharge Certificate**") certifying that:
  - (a) fees and disbursements of the Monitor and of its counsel have been paid in full; and
  - (b) any and all matters that may be incidental to the termination of these CCAA Proceedings or any other matters necessary to complete the CCAA Proceedings have been completed.
7. The Monitor has satisfied all of its obligations pursuant to the CCAA and these CCAA Proceedings and shall have no further obligations, liabilities, responsibilities or duties as Monitor, save and except as set out in paragraph 5 of the Ninth Report and paragraph 7 herein and the filing of the Discharge Certificate.
8. Notwithstanding the foregoing, the Monitor shall have the authority from and after the date of this Order to complete any matters that may be incidental to the termination of

these CCAA Proceedings or any other matters necessary to complete these CCAA Proceedings, including as set out in the Ninth Report and specifically including delivery of the balance of Hefler Trust Funds to Royal Bank of Canada as provided for in Section 11 of the Distribution Order of this Court dated May 9, 2017.

- 9. In addition to the rights and protections afforded the Monitor under the CCAA, and the Initial Order, the Monitor shall not be liable for any act or omission on the part of the Monitor, or any reliance thereon, including without limitation, with respect to any information disclosed, any act or omission pertaining to the discharge of duties or obligations in the CCAA Proceedings or this Order or as requested by the Applicant, save and except for any claim or liability arising out of any actionable negligence or misconduct on the part of the Monitor.
- 10. No action or other proceeding shall be commenced against the Monitor in any way arising from or related to its capacity or conduct as Monitor except with prior leave of this Court and on prior written notice to the Monitor.
- 11. Notwithstanding any provision of this Order, nothing contained in this Order shall affect, vary, derogate from or amend any of the protections in favour of the Monitor at law or pursuant to the Initial Order.

**TERMINATION OF CCAA PROCEEDING**


- 12. The Critical Supplier Charge and the Administrative Charge shall be and is hereby terminated, discharged and vacated in its entirety upon the Monitor's filing with this Court of the Discharge Certificate.
- 13. The CCAA Proceedings shall be and are hereby terminated upon the Monitor's filing with this Court of the Discharge Certificate.

**IN THE SUPREME COURT  
COUNTY OF HALIFAX, N.S.**

DATED at Halifax, Nova Scotia, this 8 day of September, 2017.

I hereby certify that the foregoing is a true copy of the original order on file herein.

  
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Gina DiDiodato  
Deputy Prothonotary

Dated the 8 day of September  
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A.D., 2017  
  
Gina DiDiodato  
Deputy Prothonotary