

File No. CI 22-01-38613

**THE KING'S BENCH
WINNIPEG CENTRE**

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
MANITOBA CLINIC MEDICAL CORPORATION AND THE MANITOBA CLINIC
HOLDING CO. LTD.

(the "Applicants")

APPLICATION UNDER: THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C., c. C-36, AS AMENDED

CONSENT ORDER

**DATE OF HEARING: TUESDAY, MAY 14, 2024 AT 10:00 A.M.
THE HONOURABLE MR. JUSTICE CHARTIER**

**McDougall Gauley LLP
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CLIENT FILE NO. 568954.1**

THE KING'S BENCH WINNIPEG CENTRE

THE HONOURABLE)
MR. JUSTICE CHARTIER) Tuesday, the 14th day of May, 2024

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
MANITOBA CLINIC MEDICAL CORPORATION AND THE MANITOBA CLINIC
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CONSENT ORDER

THIS MOTION, made by Alvarez & Marsal Canada Inc. in its capacity as the court-appointed monitor (the "**Monitor**") of Manitoba Clinic Medical Corporation ("**Medco**") and The Manitoba Clinic Holding Co. Ltd. (collectively, the "**Applicants**") for an order: (i) declaring 1439573 B.C. Ltd. (the "**Purchaser**") to be in contempt of paragraph 7 of the Order (Enhancing the Monitor's Powers) of the Honourable Justice Chartier dated November 24, 2024 (the "**Enhanced Powers Order**") for failing to deliver the \$757,126.65 of Medco's accounts receivable (the "**Pre-Closing Receivables**") to the Monitor upon the Monitor's request; (ii) directing the Purchaser to pay Medco interest on the Pre-Closing Receivables; and (iii) granting the Monitor and Canadian Imperial Bank of Commerce ("**CIBC**") the costs of the motion on a solicitor-client basis to be paid forthwith by the Purchaser, was heard this day at the Law Courts Building at 408 York Avenue, in the City of Winnipeg, Manitoba.

ON HEARING THE CONSENT of the Monitor, Canadian Imperial Bank of Commerce ("**CIBC**"), and the Purchaser through their respective counsel to the within

Consent Order, and noting that counsel for the Applicants was in attendance to conduct a watching brief, no one else appearing for any other person on the service list:

1. THIS COURT ORDERS that the Purchaser shall pay to the Monitor the sum of \$90,000 in full and final settlement of all costs and the interest sought on the Monitor's motion, on or before May 21, 2024.

2. THIS COURT ORDERS that, upon the Monitor providing written confirmation to the Court that it has received payment of the amount set out in paragraph 1 of this Order, the remaining relief sought in the Monitor's motion shall be dismissed.

May ___, 2024

G.L. Chartier Digitally signed by G.L. Chartier
Date: 2024.05.16 07:23:14
-05'00'

CHARTIER, J.

I, Craig Frith, of the firm of McDougall Gauley LLP, hereby certify that I have received the consents as to form and content of the following parties as directed by the Honourable Justice Chartier:

Douglas Nishimura, Field LLP, counsel for 1439573 B.C. Ltd. and WELL Health Technologies Corp.

JJ Burnell, MLT Aikins LLP, counsel for Canadian Imperial Bank of Commerce