



No. S236214
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

1392752 B.C. LTD.

PETITIONER

AND:

SKEENA SAWMILLS LTD.
SKEENA BIOENERGY LTD. and
ROC HOLDINGS LTD.

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE)))
)))
)	The Honourable)
)	Madam Justice Blake)
)))
)))
))	October 30, 2023

ON THE APPLICATION OF Alvarez & Marsal Canada Inc. in its capacity as court-appointed receiver (in such capacity, the “Receiver”) of Skeena Sawmills Ltd. (“Sawmills”), Skeena Bioenergy Ltd. and ROC Holdings Ltd. (together, the “Debtors”), coming on for hearing at Vancouver, British Columbia on October 30, 2023, and on hearing Kibben Jackson and Mishaal Gill, those other counsel listed in Schedule “A” hereto, and no one else appearing, although duly served.

THIS COURT ORDERS that:

1. The Receiver is hereby authorized to make all monthly instalment payments due to Imperial PFS Payments Canada, ULC (“Imperial”) pursuant to a Payment Agreement dated April 4, 2022 as renewed by Renewal Payment Agreement dated April 20, 2023 (together, the “Payment Agreement”) between Imperial and Skeena Bioenergy Ltd.

pursuant to which six policies of insurance have been financed (the “**Financed Policies**”) by Imperial.

2. In the event of a payment default under the Payment Agreement, Imperial is hereby granted the right to cancel the Financed Policies and to collect any unearned premiums that may be refunded as a result of said cancellation provided that Imperial first provides the Receiver with five days notice of its intent to cancel the Financed Policies. Moreover, if the Financed Policies are otherwise cancelled by the Receiver any unearned premium refund arising from said cancellation shall be paid to Imperial.
3. None of the charges created by the Receivership Order granted herein on September 20, 2023 shall attach to the unearned premiums in or under the Financed Policies.
4. The Receiver shall retain \$101,966.30 of the funds recovered from Sawmills’ pre-receivership bank account and accounts receivable, being the amount claimed as contributions owed to The Trustees of the IWA – Forest Industry Pension Plan and the Trustees of the IWA – Forest Industry LTD Plan, in a segregated trust account to be held by the Receiver pending further order of this court, without prejudice to the claims of any of the Debtors’ stakeholders with respect to their interest in such funds.
5. Endorsement of this Order by counsel appearing on this application, other than counsel for the Receiver, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

For: 

Signature of Kibben Jackson
Lawyer for the Receiver, Alvarez & Marsal
Canada Inc.

BY THE COURT





REGISTRAR



Schedule "A"

List of Counsel

Name of Party	Name of Counsel
Alvarez & Marsal Canada Inc.	Kibben Jackson Mishaal Gill
1392752 B.C. LTD	Bryan Gibbons Noor Mann
Delta Cedar Specialties Ltd.	Francis Lamer Nikhil Pandey
The Trustees of the IWA – Forest Industry Pension Plan and the Trustees of the IWA – Forest Industry LTD Plan	Heather McMahon Raashi Ahluwalia
Timber Baron Contracting Ltd.	Colin Brousson
Antler Creek Contracting Ltd., Deuce Creek Contracting Ltd., L&J Logging Ltd., Kitselas Forestry LP, Terrace Timber Ltd., Silvicon Services Inc., Little Trees Reforestation Inc., Timber Tracks Inc., D. R. Holtom Ltd., K'Alii Aks Timber Corporation, Timbertramp Contracting Ltd. and Cypress Forest Consultants Ltd.	Lance Williams
Caterpillar Financial Services Ltd.	Isaias Loten

United Steel workers local
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Heather Kennedy, (costate
Orlando no dr.

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FASKEN MARTINEAU DuMOULIN LLP

Barristers and Solicitors
550 Burrard Street, Suite 2900
Vancouver, BC, V6C 0A3
+1 604 631 3131

Counsel: Kibben Jackson
Matter No: 285937.00017