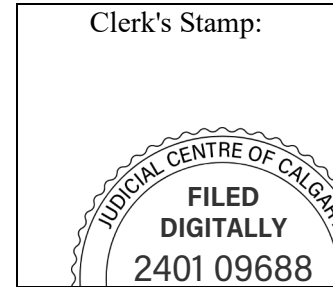


COURT FILE NUMBER 2401-09688

COURT COURT OF KING'S BENCH OF  
ALBERTA

JUDICIAL CENTRE CALGARY



IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED

AND IN THE MATTER OF THE COMPROMISE OR  
ARRANGEMENT OF DELTA 9 CANNABIS INC., DELTA 9  
LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS  
STORE INC.

APPLICANT ALVAREZ & MARSAL CANADA INC. IN ITS CAPACITY AS  
MONITOR OF DELTA 9 CANNABIS INC., DELTA 9 LOGISTICS  
INC., DELTA 9 BIO-TECH INC., DELTA 9 LIFESTYLE  
CANNABIS CLINIC INC., and DELTA 9 CANNABIS STORE INC.

DOCUMENT **AMENDED APPLICATION**  
(Amended and Restated Claims Procedure Order)

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT

**Burnet, Duckworth & Palmer LLP**  
2400, 525 – 8<sup>th</sup> Avenue S.W.  
Calgary, Alberta T2P 1G1  
Attention: David LeGeyt / Ryan Algar  
Phone: (403) 260-0210/ 0126  
Fax: (403) 260-0332  
Email: dlegeyt@bdplaw.com / ralgar@bdplaw.com  
File No.: 64793-7

## NOTICE TO THE RESPONDENTS

This Application is made against you. You are a Respondent.

You have the right to state your side of this matter before the Court.

To do so, you must be in Court when this Application is heard as show below:

Date	November 1, 2024
Time:	<u>2:00</u> PM
Where:	Calgary Courts Centre, via WebEx
Before Whom:	The Honourable Justice M.A. Marion

Go to the end of this document to see what you can do and when you must do it.

**Remedy Claimed or Sought:**

1. Alvarez & Marsal Canada Inc. ("**A&M**") in its capacity as the court-appointed monitor of Delta 9 Cannabis Inc. ("**D9 Parent**"), Delta 9 Logistics Inc. ("**Logistics**"), Delta 9 Bio-Tech Inc. ("**Bio-Tech**"), Delta 9 Lifestyle Cannabis Clinic Inc. ("**Lifestyle**") and Delta 9 Cannabis Store Inc. ("**Store**", and together with D9 Parent, Logistics, Bio-Tech, and Lifestyle, the "**Delta 9 Group**" or the "**Company**") pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended (the "**CCAA**") seeks an Order, substantially in the form attached hereto as **Schedule "A"** (the "**Amended and Restated Claims Order**"), among other things:
  - (a) declaring service of this Application and its supporting materials good and sufficient and, if necessary, abridging the time for notice of the Application to the time actually given;
  - (b) amending and restating the Claims Procedure Order originally granted in the within proceedings by the Honourable Associate Chief Justice K.G. Nielsen on July 24, 2024 (the "**Claims Procedure Order**") to allow Claims to be reviewed on their merits notwithstanding they were received after the Claim's Bar Dates (defined below); and
  - (c) declaring such further and other relief, advice, and directions as counsel may advise and this Honourable Court may deem just and appropriate.
2. Capitalized terms not otherwise defined in this Application have the meaning set forth in the Third Report or the Claims Procedure Order.

**Grounds for Making This Application:**

3. The grounds for making this application are set out more fully in the First Report and Third Report, but can be summarized as follows:

**Background**

4. The Delta 9 Group is a vertically integrated group of companies in the business of cannabis cultivation, processing, extraction, wholesale distribution and retail sales. Bio-Tech holds cannabis licences from Health Canada and the CRA pursuant to the *Excise Act*, 2001.

5. On July 15, 2024, the Honourable Justice D.R. Mah granted an Initial Order pursuant to the CCAA (the "**Initial Order**"), pursuant to which A&M was appointed as the Monitor.
6. On July 24, 2024, the Honourable Associate Chief K.G. Nielsen granted, among other things:
  - (a) an Amended and Restated Initial Order;
  - (b) an Order approving a Sales and Investment and Solicitation Process in respect of Bio-Tech; and
  - (c) the Claims Procedure Order. A summary of the Claims Procedure is described in greater detail in the Second Report of the Monitor.
7. Pursuant to the Claims Procedure Order:
  - (a) the claims bar date for Pre-Filing Claims to be submitted to the Monitor was August 17, 2024 (the "**Pre-Filing Claims Bar Date**") and the claims bar date for Restructuring Claims to be submitted to the Monitor was the earlier of the Claims Bar Date and 15 days after the Claimant received the Claim's Package (the "**Restructuring Claims Bar Date**", and together with the Pre-Filing Claims Bar Date, the "**Claims Bar Dates**"); and
  - (b) unless otherwise ordered by the Court, Claims not filed and received by the Monitor by the Claims Bar Dates are forever barred, estopped and extinguished.
8. The Monitor has received Claims following the Claims Bar Dates (the "**Late Claims**"). The Monitor is seeking the Amended and Restated Claims Procedure Order to allow the Monitor to, among other things, admit Late Claims for review and assessment on their merits.
9. The proposed form of Amended and Restated Claims Procedure Order will grant the Monitor the discretion to admit the Late Claims, and any additional Late Claims, for review and assessment provided that the Monitor is satisfied that there is a prima facie basis for a Claim and valid reasons underlying why such Claim was a Late Claim.
10. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**Material or Evidence to be Relied on:**

11. The Third Report of the Monitor, dated October 29, 2024 to be filed.
12. The other pleadings and materials filed in this Action and the Bond Action and such further and other material as counsel may advise and this Honourable Court may permit.

**Applicable Rules:**

13. Rules 1.3, 1.4, 6.3, and 13.5(2) of the Alberta Rules of Court.
14. Such further and other rules as counsel may advise and this Honourable Court may permit.

**Applicable Acts and Regulations:**

15. The *Companies' Creditors Arrangement Act*, RSC 1985, c C-36.
16. The *Judicature Act*, RSA 2000, c J-2.
17. Such further and other Acts and Regulations as counsel may advise and this Honourable Court may permit.

**Any Irregularity Complained of or Objection Relied on:**

18. None.

**How the Application is Proposed to be Heard or Considered:**

19. Via WebEx before the Honourable Justice M.A. Marion on the Commercial List.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the Applicant what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the Applicant a reasonable time before the application is to be heard or considered.

**SCHEDULE "A"**

**AMENDED AND RESTATED CLAIMS PROCEDURE ORDER**

**Clerk's Stamp:**

COURT FILE NUMBER: 2401-09668

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

IN THE MATTER OF THE *COMPANIES' CREDITORS  
ARRANGEMENT ACT*, RSC 1985, c C-36, AS  
AMENDED

AND IN THE MATTER OF THE COMPROMISE OR  
ARRANGEMENT OF DELTA 9 CANNABIS INC.,  
DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC.,  
DELTA 9 LIFESTYLE CANNABIS CLINIC INC. and  
DELTA 9 CANNABIS STORE INC.

APPLICANTS DELTA 9 CANNABIS INC., DELTA 9 LOGISTICS  
INC., DELTA 9 BIO-TECH INC., DELTA 9 LIFESTYLE  
CANNABIS CLINIC INC., and DELTA 9 CANNABIS  
STORE INC.

DOCUMENT: **AMENDED AND RESTATED CLAIMS PROCEDURE  
ORDER**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS DOCUMENT MLT AIKINS LLP  
2100, 222 - 3<sup>rd</sup> Ave SW  
Calgary, AB T2P 0B4  
Telephone: 403.693.5420/4311  
Attention: Ryan Zahara/Kaitlin Ward  
Email: rzahara@mltaikins.com  
kward@mltaikins.com  
File: 136555-34

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**DATE ON WHICH ORDER WAS PRONOUNCED: NOVEMBER 1, 2024**

**LOCATION WHERE ORDER WAS PRONOUNCED: CALGARY, ALBERTA**

**NAME OF JUSTICE WHO MADE THIS ORDER: THE HONOURABLE JUSTICE M. A.  
MARION**

---

**UPON THE APPLICATION** of the applicants, Delta 9 Cannabis Inc. ("**D9 Parent**"), Delta 9 Logistics Inc. ("**Logistics**"), Delta 9 Bio-Tech Inc. ("**Bio-Tech**"), Delta 9 Lifestyle Cannabis Clinic Inc. ("**Lifestyle**") and Delta 9 Cannabis Store Inc. ("**Store**", and together with D9 Parent, Logistics, Bio-Tech, and Lifestyle, the "**Delta 9**" or the "**Applicants**") pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended (the "**CCAA**") for, among other things, an order approving a procedure for the determination and resolution of claims against the Applicants and

authorizing and directing the Applicants and the Monitor (defined below) to administer the claims procedure in accordance with its terms;

**AND UPON** the Application of the Monitor to amend and restate the Claims Procedure Order granted by the Honourable Associate Chief Justice K.G. Nielsen on July 24, 2024;

**AND UPON** having read the Application, the Second Affidavit of John Arbuthnot IV sworn and filed on July 18, 2024, the Second Supplemental Affidavit of John Arbuthnot IV, sworn and filed on July 22, 2024, the Affidavit of Mark Townsend sworn on July 19, 2024 and filed on July 22, 2024, the Confidential Affidavit of Danielle Christiansen sworn on July 24, 2024 and the Affidavit of Service of Regie Agcaoili sworn July 23, 2024;

**AND UPON** having read the First Report of the monitor, Alvarez & Marsal Canada Inc. (the "**Monitor**"), dated July 22, 2024 and the Confidential Appendices appended thereto, the Third Report of the Monitor dated October 29, 2024 and the Confidential Appendices thereto, and the Bench Brief of the Applicants, filed on July 22, 2024;

**AND UPON** hearing from counsel for the Applicants, counsel for the Monitor, and any other interested party in attendance;

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

#### **SERVICE & INTERPRETATION**

1. Service of notice of this application and supporting materials is hereby abridged to that actually given, if necessary, and declared to be good and sufficient. The application is properly returnable today and no other person is required to have been served with notice of this application.
2. In this Order:
  - a. "**BIA**" means the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended;
  - b. "**Business Day**" means a day, other than a Saturday, Sunday or a statutory holiday, on which banks are generally open for business in Calgary, in the Province of Alberta, Canada;
  - c. "**Calendar Day**" means a day, including Saturday, Sunday and any statutory holidays in the Province of Alberta, Canada;

- d. **"CCAA Proceedings"** means the within proceedings under the CCAA in respect of the Applicants;
- e. **"Claim"** means: (i) Pre-Filing Claims; (ii) D&O Claims; and (iii) Restructuring Claims;
- f. **"Claimant"** means any Person asserting a Claim and includes without limitation the transferee or assignee of a Claim transfer and recognized as a Claimant in accordance with paragraph 36 hereof or a trustee, executor, liquidator, receiver, receiver and manager, or other Person acting on or behalf of or through such Person;
- g. **"Claims Bar Date"** means 5:00 p.m. on August 17, 2024;
- h. **"Claims Package"** means the document package which shall include a copy of the Claims Process Order, the Notice to Claimants, and a Proof of Claim and related instructions, along with any other documentation the Applicants, in consultation with the Monitor, may deem appropriate;
- i. **"Claims Procedure"** means the procedures outlined in this Order, including the Schedules hereto;
- j. **"Court"** means the Court of King's Bench of Alberta in the Judicial Centre of Calgary;
- k. **"Director"** means anyone who is or was, or may be deemed to be or have been, whether by statute, operation of law or otherwise, a director or *de facto* director of one or more of the Applicants;
- l. **"D&O Claim"** means all demands, claims (including claims for contribution or indemnity), actions, causes of action, counterclaims, suits, debts, sums of money, liabilities, accounts, covenants, damages, judgments, orders (including orders for injunctive relief or specific performance and compliance orders), expenses, executions, encumbrances and recoveries on account of any liability, obligation, demand or cause of action of whatever nature that any creditor or other Person has or may be entitled to assert (including for, in respect of or arising out of environmental matters, pensions or post-employment benefits or alleged wrongful or oppressive conduct, misrepresentation, fraud or breach of fiduciary duty), whether known or unknown, matured or unmatured, contingent or actual, direct, indirect or derivative, at common law, in equity or under statute, foreseen or unforeseen, existing or hereafter arising, based in whole or in part on any act, omission, transaction, duty, responsibility, indebtedness, liability, obligation, dealing, matter or occurrence that in any way relate



- to or arise out of or in connection with (i) any right or claim of any Person that may be asserted or made in whole or in part against one or more of the Directors or Officers that relates to a claim for which such Directors or Officers are by law liable to pay in their capacity as Directors or Officers; (ii) any Pre-Filing Claim that may be asserted against Directors or Officers; or (iii) the assets, property, obligations, business or affairs of the Applicants, but “D&O Claim” does not include a claim that cannot be compromised due to the provisions of subsection 5.1(2) of the CCAA and for greater certainty does not include any Excluded Claims;
- m. **“D&O Indemnity Claim”** means any Claim of a current or former Director or Officer of one or more of the Applicants for indemnification from the Applicants in relation to a D&O Claim under the Claims Process;
- n. **“Excluded Claims”** means:
- i. any Claim secured by a charge now or hereinafter granted by the Court in connection with these CCAA Proceedings;
  - ii. any Claim arising under a contract entered into by the Applicants after the Filing Date or with respect to goods or services provided to any of the Applicants on or after the Filing Date;
  - iii. inter-company Claims against the Applicants by another Applicant; and
  - iv. any claims by SNDL Inc. or 2759054 Ontario Inc. operating as Fika Herbal Goods (**“Fika”** or the **“Plan Sponsor”**);
- o. **“Filing Date”** means July 15, 2024, the date on which the Applicants were granted an Initial Order in the CCAA Proceedings;
- p. **“Monitor”** means Alvarez & Marsal Canada Inc.;
- q. **“Notice of Dispute”** means the notice referred to in paragraphs 15 and 30 hereof, substantially in the form attached as **Schedule “E”** hereto, which must be delivered to the Monitor by any Claimant wishing to dispute a Notice to Known Claimant or Notice of Revision or Disallowance, with reasons for its dispute;
- r. **“Notice of Revision or Disallowance”** means the notice referred to in paragraph 29 hereof, substantially in the form attached as **Schedule “D”** hereto that the Monitor, in

consultation with the Applicants, has revised or rejected all or part of such Claimant's Claim as set out in its Proof of Claim;

- s. **"Notice to Claimant"** means a notice referred to in paragraph 19 hereof, substantially in the form attached as **Schedule "B"** hereto;
- t. **"Notice to Known Claimant"** means a notice referred to in paragraph 14 hereof, substantially in the form attached as **Schedule "A"** hereto;
- u. **"Notice to Unknown Claimant"** means a notice referred to in paragraph 30 hereof, substantially in the form attached as **Schedule "B"** hereto;
- v. **"Officer"** means anyone who is or was, or may be deemed to be or have been, whether by statute, operation of law or otherwise, an officer or *de facto* officer of one or more of the Applicants;
- w. **"Person"** means any individual, corporation, firm, limited or unlimited liability company, general or limited partnership, association (incorporated or unincorporated), trust, unincorporated organization, joint venture, trade union, government authority or any agency, regulatory body, or officer thereof, or any other entity, wherever situate or domiciled, and whether or not having legal status, and whether acting on their own or in a representative capacity;
- x. **"Pre-Filing Claims"** means (i) any indebtedness, liability, or obligation of any kind that would be a claim provable within the meaning of section 2 of the *BIA*; and/or (iii) all Claims against the Applicants or current or former Directors or Officers of the Applicants (or any one of them), but excluding Excluded Claims. For greater certainty, a "Claim" shall include any right or claim of any Person arising prior to the Filing Date that may be asserted or made in whole or in part against the Applicants or their current or former Directors or Officers, whether or not asserted or made, in connection with any indebtedness, liability or obligation of any kind whatsoever, and any interest accrued thereon or costs payable in respect thereof, including without limitation, by reason of the commission of a tort (intentional or unintentional), by reason of any breach of contract or other agreement (oral or written), by reason of any breach of duty (including, without limitation, any legal, statutory, equitable or fiduciary duty) or by reason of any right of ownership of or title to property or assets or right to a trust or deemed trust (statutory, express, implied, resulting, constructive or otherwise), and

- whether or not any indebtedness, liability or obligation is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, unsecured, present or future, known or unknown, by guarantee, surety or otherwise, and whether or not any right or claim is executory or anticipatory in nature including, without limitation, any right or ability of any Person to advance a claim for contribution or indemnity or otherwise with respect to any matter, action, cause or chose in action whether existing at present or commenced in the future;
- y. **"Proof of Claim"** means the Proof of Claim referred to in paragraph 23 hereof, substantially in the form attached as **Schedule "C"** hereto;
  - z. **"Proven Claim"** means the amount and status of a Claim of a Claimant as finally determined in accordance with this Claims Procedure Order;
  - aa. **"Restructuring Claim"** means any right of claim of any Person against any of the Applicants in connection with any indebtedness, liability, or obligation of any kind whatsoever owed by any such Applicant to such Person arising out of the restructuring, disclaimer, repudiation, resiliation, or termination by such Applicant on or after the Filing Date of any contract, lease, other agreement or obligation whether written or oral;
  - bb. **"Restructuring Claims Bar Date"** means the later of:
    - i. the Claims Bar Date; and
    - ii. 15 days after the Monitor sends a Claims Package with respect to a Restructuring Claim in accordance with paragraph 22 hereof;
  - cc. **"Website"** means <https://www.alvarezandmarsal.com/Delta9>.
- 3. All references as to time herein shall mean local time in Calgary, Alberta, Canada, and any reference to an event occurring on a Business Day shall mean prior to 5:00 p.m. on such Business Day unless otherwise indicated herein.
  - 4. All references to the word "including" shall mean "including without limitation".
  - 5. All references to the singular herein include the plural, the plural include the singular, and any gender includes the other gender.

6. All Claims shall be denominated in Canadian dollars. Any Claims denominated in a foreign currency shall be converted to Canadian dollars based on the Bank of Canada's daily average exchange rate for that currency against the Canadian Dollar on the Filing Date.
7. Interest and penalties that would otherwise accrue after the Filing Date shall not be included in any Claims.

## **MONITOR'S ROLE**

8. The Monitor, in addition to its prescribed rights, duties, responsibilities and obligations under the CCAA, shall assist the Applicants in connection with the administration of the Claims Procedure provided for herein, and is hereby directed and empowered to take such other actions and fulfill such other roles as are contemplated by this Order or incidental thereto.
9. In carrying out the terms of this Order, the Monitor shall:
  - a. have all of the protections given to it by the CCAA and any subsequent orders and extensions related thereto, and this Order, or as an officer of the Court, including the stay of proceedings in its favour;
  - b. incur no liability or obligation as a result of the carrying out of the provisions of this Order, save and except for any gross negligence or willful misconduct on its part;
  - c. be entitled to rely on the books and records of the Applicants and any information provided by the Applicants, all without independent investigation; and
  - d. not be liable for any claims or damages resulting from any errors or omissions in such books, records or information, save and except for any gross negligence or willful misconduct on its part.
10. The Applicants and the Monitor are hereby authorized to use reasonable discretion as to the adequacy of compliance with respect to the manner in which forms delivered hereunder are completed and executed, and may, where they are satisfied that a Claim has been adequately proven, waive strict compliance with the requirements of this Order as to completion and execution of such forms and to request any further documentation from a Person that the Applicants or the Monitor may require in order to enable them to determine the validity of a Claim.

11. The form and substance of each of the documents comprising the Claims Package substantially in the forms attached as schedules hereto, are hereby approved. Despite the foregoing, the Monitor may, from time to time, make such minor changes to such forms as the Monitor, in consultation with the Applicants, considers necessary or desirable.
12. Copies of all forms delivered hereunder, as applicable, and determinations of Claims by the Court, as the case may be, shall be maintained by the Monitor and, subject to further order of the Court, the applicable Claimant will be entitled to have access thereto by appointment during normal business hours on written request to the Monitor or the Applicant.

#### **NOTICE TO KNOWN CLAIMANTS**

13. The Applicants shall provide to the Monitor a complete list of known potential Claimants with Pre-Filing Claims, save and except for Claimants with D&O Claims, listed in the books and records of the Applicants (the “**Known Claimants**”) as at the date of this Claim Procedure Order, and the Applicants, in consultation with the Monitor, shall determine the value of such Known Claimants' Claim for all purposes, on the basis of the books and records of the Applicants.
14. The Monitor shall send a Claims Package to each of the Known Claimants (or to the counsel of record for any such Known Claimants) by prepaid ordinary mail, courier, personal delivery, or electronic or facsimile transmission, within 5 Business Days from the granting of this Claims Procedure Order. A Claims Package sent to a Known Claimant shall include the value of such Known Claimant's Claim, as determined by the Applicants in accordance with this Claims Procedure Order (the “**Notice to Known Claimant**”).
15. If a Known Claimant, having received a Claims Package, disagrees with the amount or classification of such amount in the Notice to Known Claimant, the Claimant must deliver a Notice of Dispute of Known Claimant in the form attached as **Schedule “E”** hereto to the Applicants and the Monitor, by no later than the applicable Claims Bar Date. Such Notice of Dispute of Known Claimant shall outline the basis for the dispute, include the amount believed to be owing to the Known Claimant and the classification of such amount, and where possible, including supporting documentation. Where a Claimant that receives a Notice to Known Claimant pursuant to paragraph 14 does not deliver a Notice of Dispute of Known Claimant by the applicable Claims Bar Date, the amount owing to the Claimant

and the classification of such amount shall be deemed to be as set out in the Notice to Known Claimant sent to such Claimant.

## **D&O CLAIMS**

16. Any Person entitled or that intends to assert a D&O Claim must do so by the Claims Bar Date in accordance with paragraph 23 of this Order, and shall be deemed to be an Unknown Claimant and subject to the same process and procedure as an Unknown Claimant as set out in paragraphs 23 and 24 of this Claims Procedure Order.

## **DISCLAIMERS AND RESILIATIONS**

17. Any action taken by the Applicant to restructure, disclaim, resiliate, terminate, or breach any contract, lease, or other agreement, whether written or oral, must occur on or before the day that is 14 Calendar Days prior to the date of any meeting called for the purpose of considering and voting on a Plan pursuant to the CCAA (a “**Meeting**”). Any notices of disclaimer or resiliation delivered after the date of this Order to Claimants in connection with the foregoing shall be accompanied by a Claims Package.
18. Any Person entitled or that intends to assert a Restructuring Claim must do so by the Restructuring Claims Bar Date in accordance with paragraph 23 of this Order and shall be an Unknown Claimant and subject to the same process as an Unknown Claimant set out in paragraph 24 of this Claims Procedure Order.

## **CLAIMS PROCEDURE FOR UNKNOWN CLAIMANTS**

19. The Monitor shall, as soon as is practicable after the date of this Claims Procedure Order cause the Notice to Claimants to be published once in the *Insolvency Insider*, *The Globe and Mail*, the *Calgary Herald*, and the *Winnipeg Free Press*.
20. The Monitor will also post to the Website electronic copies of the Notice to Claimants and Claims Package as soon as is practicable and cause it to remain posted thereon until its discharge as Monitor of the Applicants.
21. The publication of the Notice to Claimants, in accordance with this Order, and the posting of this Order on the Website shall constitute good and sufficient service and delivery of notice of this Order and the Claims Bar Date on all Persons and no other notice or service need to be given or made.

22. Upon the Monitor receiving a request by a Claimant for a Claims Package or documents or information relating to the Claims Procedure prior to the applicable Claims Bar Date or any applicable Restructuring Claims Bar Date (each hereafter referred to as an “**Unknown Claimant**”), the Monitor shall forthwith send a Claims Package, direct such Person to the documents posted on the Website, or otherwise respond to the request for information or documents as the Monitor considers appropriate in the circumstances.

## **PROOFS OF CLAIM**

23. Any Unknown Claimant that wishes to assert:
- a. a D&O Claim, must deliver to the Monitor and the Applicants a completed Proof of Claim form, together with all relevant supporting documentation in respect of such D&O Claim, in the manner set out in this Claims Procedure Order on or before the Claims Bar Date;
  - b. a Pre-Filing Claim, must deliver to the Monitor and the Applicants a completed Proof of Claim form, together with all relevant supporting documentation in respect of such Pre-Filing Claim, in the manner set out in this Claims Procedure Order on or before the Claims Bar Date; and/or
  - c. a Restructuring Claim, must deliver to the Monitor and the Applicants a completed Proof of Claim form, together with all relevant supporting documentation in respect of such Restructuring Claim, in the manner set out in this Claims Procedure Order on or before the Restructuring Claims Bar Date.
24. Any Unknown Claimant who fails to deliver a Proof of Claim to the Monitor and the Applicants in accordance with this Claims Procedure Order by either the Claims Bar Date or the Restructuring Claims Bar Date, as applicable, unless otherwise ordered by the Court, shall:
- a. be forever barred from making or enforcing any such Claim against any of the Applicants, their Directors and their Officers, and all such Claims will be forever extinguished and barred without any further act or notification by the Applicants;
  - b. be forever barred from making or enforcing any such Claim as against any other Person who could claim contribution or indemnity from the Applicants, its Directors and their Officers, or any of them and all such Claims will be forever extinguished and barred without any further act or notification by the Applicants;

- c. will not be permitted to vote at any creditors' Meeting on account of such Claim;
  - d. will not be entitled to receive further notice with respect to the Claims Process or these proceedings with respect to such Claim; and
  - e. will not be permitted to participate in any distribution under any Plan or otherwise on account of such Claim.
25. To the extent that any D&O Claim is filed in accordance with this Claims Procedure Order, a corresponding D&O Indemnity Claim shall be deemed to have been filed in respect of such D&O Claim.
26. Any Person with an Excluded Claim shall not file a Proof of Claim in this process unless required to do so by further order of the Court, nor shall the Monitor send a Claims Package to Claimants with Excluded Claims.

#### **REVIEW OF PROOFS OF CLAIM**

27. The Monitor and the Applicants (and in the case of a D&O Claim, in consultation with the applicable Director/Officer, and/or their counsel, if applicable) shall review all Proofs of Claim filed in accordance with the Claims Procedure Order and at any time may:
- a. request additional information from a Claimant;
  - b. request that a Claimant file a revised Proof of Claim;
  - c. attempt to resolve and settle any issue arising in a Proof of Claim or in respect of a Claim;
  - d. accept (in whole or in part), the amount and/or status of any Claim and so notify the Claimant in writing; and
  - e. revise or disallow (in whole or in part) the amount and/or status of any Claim and so notify the Claimant in writing.
28. Where a Claim has been accepted by the Monitor (and in the case of a D&O Claim, with the acceptance of the Monitor and the affected Director or Officer) in accordance with this Claims Procedure Order, such Claim shall constitute such Claimant's Proven Claim. The acceptance of any Claim or other determination of same in accordance with this Claims Procedure Order, in full or in part, shall not constitute an admission of any fact, thing,



liability, quantum, or status of any claim by any Claimant, save and except in the context of these CCAA proceedings.

29. Where a Claim is revised or disallowed (in whole or in part, and whether as to amount and/or status), the Monitor shall deliver to the Claimant a Notice of Revision or Disallowance.

## **NOTICE OF DISPUTE**

30. Any Claimant who intends to dispute a Notice of Revision or Disallowance sent pursuant to paragraph 29 above shall deliver a Notice of Dispute of Unknown Claimant to the Applicants and the Monitor no later than 7 Calendar Days after such Claimant is deemed to have received the Notice of Revision or Disallowance, or such longer period as may be agreed to by the Monitor in writing ("**Notice of Dispute of Unknown Claimant**").
31. Where a Claimant that receives a Notice of Revision or Disallowance pursuant to paragraph 29 above does not file a Notice of Dispute of Unknown Claimant by the time set out in paragraph 30 above, the amount and classification of such Claimant's Claim shall be deemed to be as set out in the Notice of Revision or Disallowance, and the Claimant shall be barred from disputing or appealing same, and the balance of such Claimant's Claim, if any, shall be forever barred and extinguished.

## **RESOLUTION AND ADJUDICATION OF CLAIMS**

32. Notwithstanding any other provision of this Order, if any Claimant submits a Proof of Claim or Notice of Dispute in respect of a Claim after the applicable Claims Bar Date or Restructuring Claims Bar Date ("**Late Claims**" and each a "**Late Claim**"), the Monitor may review such Late Claims in accordance with paragraphs 27-29 of this Order and paragraphs 30-35 of this Order shall apply to Late Claims.
33. As soon as is practicable after a Notice of Dispute of Known Claimant or a Notice of Dispute of Unknown Claimant (hereinafter referred to together as a "**Notice of Dispute**") is received by the Applicants and the Monitor in accordance with this Claims Procedure Order, the Monitor, in consultation with the Applicants (and in the case of a D&O Claim, in consultation with the applicable Director/Officer, and/or their counsel, if applicable), may attempt to resolve and settle the Claim with the Claimant.
34. In the event that the Monitor, in consultation with the Applicants (and in the case of a D&O Claim, in consultation with the applicable Director/Officer, and/or their counsel, if

applicable), is unable to resolve a dispute regarding a Notice of Dispute with the Claimant, the Claimant must file an Application to the Court for the resolution of the Claim for voting and distribution purposes. Any such application must be filed and served within 10 Calendar Days after the Claimant has delivered a Notice of Dispute, failing which the amount and classification of such Claimant's Claim shall be deemed to be as set out in the Notice of Revision or Disallowance. Thereafter, the Court shall resolve the dispute and determine the amount and/or classification of the Claimant's Claim for voting and distribution purposes. Any affected Director or Officer shall have standing to participate in any such Court process.

35. Where the amount and/or classification of a Claimant's Claim has not been finally determined by the Court by the date of a Meeting, the Monitor shall either:
- a. accept the Claimant's determination of the amount and/or classification of the Claim as set out in the applicable Notice of Dispute of Revision or Disallowance only for the purposes of voting and conduct the vote of the creditors on that basis subject to a final determination of such Claimant's Claim, and in such case the Monitor shall record separately such Claimant's Claim and whether Claimant voted in favour of or against the Plan;
  - b. adjourn the Meeting until a final determination of the Claim(s) is made; or
  - c. deal with the matter as the Court may otherwise direct or as the Applicant, the Monitor, and the relevant Claimant may otherwise agree.

#### **NOTICE OF TRANSFEREES**

36. If, after the Filing Date, the holder of a Claim transfers or assigns the whole of such Claim to another Person, neither the Applicants nor the Monitor shall be obligated to give notice or otherwise deal with the transferee or assignee of such Claim in respect thereof unless and until actual notice of transfer or assignment, together with satisfactory evidence of such transfer or assignment, has been received and acknowledged by the Applicants and the Monitor in writing and thereafter such transferee or assignee shall for the purposes hereof constitute the "Claimant" in respect of such Claim. Any such transferee or assignee of a Claim shall be bound by any notices given or steps taken in respect of such Claim in accordance with this Order prior to receipt and acknowledgement by the Applicants and the Monitor of satisfactory evidence of such transfer or assignment. A transferee or

assignee of a Claim takes the Claim subject to any rights of set-off to which the Applicants may be entitled with respect to such Claim. For greater certainty, a transferee or assignee of a Claim is not entitled to set-off, apply, merge, consolidate or combine any Claims assigned or transferred to it against or on account or in reduction of any amounts owing by such Person to the Applicants. No transfer or assignment shall be received for voting purposes unless such transfer shall have been received by the Monitor no later than five Business Days prior to the Meetings, failing which the original transferor shall have all applicable rights as the "Claimant" with respect to such Claim as if no transfer of the Claim had occurred. Reference to transfer in this Claims Procedure Order includes a transfer or assignment whether absolute or intended as security.

37. If a Claimant, or any subsequent holder of a Claim, who has been acknowledged by the Monitor as the holder of such, transfers or assigns the whole of such Claim to more than one Person or part of such Claim to another Person, such transfers or assignments shall not create separate Claims and such Claims shall continue to constitute and be dealt with as a single Claim notwithstanding such transfers or assignments. The Monitor shall not, in each case, be required to recognize or acknowledge any such transfers or assignments and shall be entitled to give notices to and otherwise deal with such Claim only as a whole and then only to and with the Person last holding such Claim provided such Claimant may, by notice in writing delivered to the Monitor, direct that subsequent dealings in respect of such Claim, but only as a whole, shall be dealt with by a specified Person and in such event such Person shall be bound by any notices given or steps taken in respect of such Claim with such Claimant in accordance with the provisions of this Order.
38. Neither the Applicants nor the Monitor are under any obligation to give notice to any Person other than a Claimant holding a Claim and shall have no obligation to give notice to any Person holding a security interest, lien or charge in, or a pledge or assignment by way of security in, a Claim as applicable in respect of any Claim.

## **SERVICE AND NOTICE**

39. The Monitor and the Applicants may, unless otherwise specified by this Order, serve and deliver any letters, notices or other documents contemplated by this Claims Procedure Order to Claimants, Directors or Officers, and any other interested Persons, by forwarding true copies thereof by prepaid ordinary mail, courier, personal delivery or electronic or digital transmission to such Persons (with copies to their counsel if applicable) at the

address as last shown on the records of the Applicants or set out in such Claimant's Proof of Claim. Any such service or notice by courier, personal delivery or electronic or digital transmission shall be deemed to have been received: (i) if sent by ordinary mail, on the third Business Day after mailing within Alberta, the fifth Business Day after mailing within Canada (other than within Alberta), and the tenth Business Day after mailing internationally; (ii) if sent by courier or personal delivery, on the next Business Day following dispatch; and (iii) if delivered by electronic or digital transmission by 5:00 p.m. on a Business Day, on such Business Day, and if delivered after 5:00 p.m. or other than on a Business Day, on the following Business Day.

40. Any notice or other communication (including Proofs of Claim) to be given under this Order by any Person to the Applicant and the Monitor shall be in writing in substantially the form, if any, provided for in this Order and will be sufficiently given only if delivered by prepaid registered mail, courier, personal delivery or electronic or digital transmission addressed to the following address and any such notice or other communication by a Claimant shall be deemed received only upon actual receipt thereof during normal business hours on a Business Day, or if delivered outside of a normal business hours, the next Business Day:

**To the Applicants:**

MLT AIKINS LLP  
2100, 222 - 3<sup>rd</sup> Ave SW  
Calgary, AB T2P 0B4  
Attention: Ryan Zahara/Molly McIntosh  
Email: rzahara@mltaikins.com  
mmcintosh@mltaikins.com

**To the Monitor:**

ALVAREZ & MARSAL CANADA INC.  
Bow Valley Square 4  
Suite 1110, 250 6<sup>th</sup> Ave SW  
Calgary, AB T2P 3H7  
Email: delta9@alvarezandmarsal.com

**With a copy to:**

BURNET, DUCKWORTH & PALMER LLP  
  
Attention: David LeGeyt (dlegeyt@bdplaw.com)  
Ryan Algar (ralgar@bdplaw.com)  
Jenny Deyholos (jdeyholos@bdplaw.com)

41. If during any period during which notices or other communications are being given pursuant to this Order a postal strike or postal work stoppage of general application should occur, such notices or other communications sent by ordinary mail and then not received shall not, absent further order of the Court, be effective and notices and other communications given hereunder during the course of any such postal strike or work stoppage of general application shall only be effective if given by courier, personal delivery or electronic or digital transmission in accordance with this Order.
42. In the event that this Order is later amended by further order of the Court, the Monitor shall post such further order on the Website and such posting shall constitute adequate notice of such amended claims procedure.

#### **SET-OFF**

43. The Applicants may set-off (whether by way of legal, equitable or contractual set-off) against payments or other distributions to be made pursuant to the Claims Process Order to any Claimant, any claims of any nature whatsoever that the Applicants (or any of them) may have against such Claimant, however, neither the failure to do so nor the allowance of any claim hereunder shall constitute a waiver or release by the Applicants (or any of them) of any such claim that the Applicants may have against such Claimant.

#### **MISCELLANEOUS**

44. The Applicants or the Monitor may from time to time apply to this Court to amend, vary, supplement or replace this Order or for advice and direction concerning the discharge of their respective powers and duties under this Order or the interpretation or application of this Order.
45. This Order shall have full force and effect in all provinces and territories of Canada, outside Canada and against all Persons against whom it may be enforceable.
46. This Court hereby requests the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or the United States, or in any other foreign jurisdiction, to give effect to this Order and to assist the Applicants, or any of them, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants and to the Monitor, as an

officer of the Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Applicants in any foreign proceeding, or to assist the Applicants and the Monitor and their respective agents in carrying out the terms of this Order.

47. Each of the Applicants and the Monitor shall be at liberty and are hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Claims Procedure Order and for assistance in carrying out the terms of this Claims Procedure Order.

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The Honourable Justice M A. Marion

**SCHEDULE "A"**

**NOTICE TO KNOWN CLAIMANTS**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF DELTA 9  
CANNABIS INC., DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS STORE INC.**

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**NOTICE LETTER TO KNOWN CLAIMANTS REGARDING CLAIMS PROCEDURE**

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**RE: Notice of Claims Procedure, Claims Bar Date & Restructuring Claims Bar Date**

This notice is published pursuant to the Order of the Honourable Associate Chief Justice Neilsen of the Court of King's Bench of Alberta, dated July 24, 2024 (the "**Claims Procedure Order**"), in the Applicants' proceedings under the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended. Pursuant to the Initial Order dated July 15, 2024, Alvarez & Marsal Canada Inc. was appointed as monitor of the Applicants (in such capacity, the "**Monitor**"), and pursuant to the Claims Procedure Order will, with the assistance of the Applicants, conduct a Claims Procedure with respect to Claims against the Applicants and their present and former Directors and Officers. Additionally, the Monitor is required to send Claims Packages to the Applicants' Known Claimants.

All capitalized terms used herein that are not otherwise defined have the meaning ascribed to them in the Claims Procedure Order.

The Claims Procedure Order, the Claims Package, a Proof of Claim form, and related materials can be accessed on the Monitor's Website at: <https://www.alvarezandmarsal.com/Delta9>. Proof of Claim forms can also be obtained by contacting the Monitor at the address below and providing particulars as to your name, address, facsimile number and email address.

**I. CREDITOR CLAIM**

Based on the books and records of the Applicants, [Creditor Name] has a Known Claim against the Applicants (or any one of them) which arose before the commencement of these CCAA proceedings. Details regarding [Creditor name]'s claim are as follows:

Creditor Name	
Creditor Claim (\$CAD)	
Classification of Creditor Claim	

If you AGREE with the amount and classification as set out in this notice, you need not do anything further; the quantum and classification of your claim, as set out in this notice, will be accepted as your Proven Claim.

If you DISAGREE with the amount and/or classification as set out in this notice, or wish to assert a different claim, you **MUST** submit a 'Notice of Dispute' to the Monitor **by**:

(a) in respect of Pre-Filing Claims, no later than 5:00 p.m. MST on August 17, 2024 (the “**Claims Bar Date**”); and

(b) in respect of Restructuring Claims, on or before the later of:

- (i) the Claims Bar Date; and
- (ii) 15 Business Days after the Monitor sends the Claims Package with respect to such Claim in accordance with paragraph 17 of the Claims Procedure Order

(the “**Restructuring Claims Bar Date**”).

The Notice of Dispute must outline the basis for the dispute and including supporting documentation.

Additional information about these proceedings may be found on the Monitor’s Website or may be obtained by contacting the Monitor directly. Contact details for the Monitor are described below:

ALVAREZ & MARSAL CANADA INC.  
Bow Valley Square 4  
Suite 1110, 250 6<sup>th</sup> Ave SW  
Calgary, AB T2P 3H7  
Email: delta9@alvarezandmarsal.com

Dated at the City of Calgary, in the Province of Alberta, this [date] of [month], [year].

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**Alvarez & Marsal Canada Inc.**  
in its capacity as Monitor of the Applicants, and not  
in its personal or corporate capacity



**SCHEDULE “B”**

**NOTICE TO CLAIMANTS**

**IN THE MATTER OF THE COMPANIES’ CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF DELTA 9  
CANNABIS INC., DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS STORE INC.**

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**NOTICE LETTER TO CLAIMANTS REGARDING CLAIMS PROCEDURE**

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**RE: Notice of Claims Procedure, Claims Bar Date & Restructuring Claims Bar Date**

This notice is published pursuant to the Order of the Honourable Associate Chief Justice Nielsen of the Court of King’s Bench of Alberta, dated July 24, 2024 (the “**Claims Procedure Order**”), in the Applicants’ proceedings under the *Companies’ Creditors Arrangement Act*, RSC 1985, c C-36, as amended. Pursuant to the Initial Order dated July 15, 2024, Alvarez & Marsal Canada Inc. was appointed as monitor of the Applicants (in such capacity, the “**Monitor**”), and pursuant to the Claims Procedure Order will, with the assistance of the Applicants, conduct a Claims Procedure with respect to Claims against the Applicants and their present and former Directors and Officers.

All capitalized terms used herein that are not otherwise defined have the meaning ascribed to them in the Claims Procedure Order.

The Claims Procedure Order, the Claims Package, a Proof of Claim form, and related materials can be accessed on the Monitor’s Website at: <https://www.alvarezandmarsal.com/Delta9>. Proof of Claim forms can also be obtained by contacting the Monitor at the address below and providing particulars as to your name, address, facsimile number and email address.

**I. SUBMISSION OF PROOF OF CLAIM**

**Any Person who believes they have a Claim against the Applicants (or any one of them) or their Directors or Officers shall submit their Claim in a Proof of Claim form, other than an Excluded Claim, in accordance with the Claims Procedure Order.**

**All Claimants MUST submit their Proof of Claim to the Applicants and the Monitor:**

- II. in respect of Pre-Filing Claims, no later than 5:00 p.m. MST on August 17, 2024 (the “**Claims Bar Date**”); and
- III. in respect of Restructuring Claims, on or before the later of:
  - (iii) the Claims Bar Date; and
  - (iv) 15 Business Days after the Monitor sends the Claims Package with respect to such Claim in accordance with paragraph 17 of the Claims Procedure Order(the “**Restructuring Claims Bar Date**”).

**Proofs of Claim MUST be submitted by prepaid registered mail, courier, personal delivery, or electronic or digital transmission addressed to the following address:**

**To the Applicants:**

MLT AIKINS LLP  
2100, 222 - 3<sup>rd</sup> Ave SW  
Calgary, AB T2P 0B4  
Attention: Ryan Zahara (rzahara@mltaikins.com)  
Molly McIntosh (mmcintosh@mltaikins.com)

**To the Monitor:**

ALVAREZ & MARSAL CANADA INC.  
Bow Valley Square 4  
Suite 1110, 250 6<sup>th</sup> Ave SW  
Calgary, AB T2P 3H7  
Email: delta9@alvarezandmarsal.com

**With a copy to:**

BURNET, DUCKWORTH & PALMER LLP  
  
Attention: David LeGeyt (dlegeyt@bdplaw.com)  
Ryan Algar (ralgar@bdplaw.com)  
Jenny Deyholos (jdeyholos@bdplaw.com)

**CLAIMS WHICH ARE NOT RECEIVED BY THE MONITOR BY THE APPLICABLE CLAIMS BAR DATE WILL BE FOREVER BARRED FROM MAKING OR ENFORCING ANY CLAIM AGAINST ANY OF THE APPLICANTS, THEIR DIRECTORS, OR THEIR OFFICERS.**

Additional information about these proceedings may be found on the Monitor's Website or may be obtained by contacting the Monitor directly at the address above.

Dated at the City of Calgary, in the Province of Alberta, this [date] of [month], [year].

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**Alvarez & Marsal Canada Inc.**  
in its capacity as Monitor of the Applicants, and not  
in its personal or corporate capacity

**SCHEDULE "C"**

**PROOF OF CLAIM FORM**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF DELTA 9  
CANNABIS INC., DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS STORE INC.**

Regarding the claim of \_\_\_\_\_ (referred to  
in this form as "**the Claimant**"). (Name of Claimant)

All notices or correspondence regarding this claim to be forwarded to the Claimant at the following  
address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_  
Facsimile Number: \_\_\_\_\_  
Attention (Contact  
Person): \_\_\_\_\_  
Email Address: \_\_\_\_\_

*(Note – All future correspondence will be delivered to the designated email address unless the  
Claimant specifically requests that hardcopies be provided)*

☐ Please provide hardcopies of materials to the address above.

I, \_\_\_\_\_ (name of the Claimant or representative of the  
Claimant), of \_\_\_\_\_ (City, Province or State) do hereby certify  
that:

(a) I am (select one):

☐ the Claimant; or

☐ I am \_\_\_\_\_ (state position/title) of the Claimant.

(b) I have knowledge of all the circumstances connected with the Claim referred to below;

(c) I confirm that complete documentation in support of the Claim referred to below is attached;  
and

(d) The Applicants and/or one or more of the Directors or Officers of the Applicants were and still  
are Indebted to the Claimant as follows:

## I. Pre-Filing Proof of Claim

Debtor	Pre-Filing Claim Amount	Nature of Claim (Secured, Priority, Unsecured or Secured)	Value of Security Held (if any)
Delta 9 Cannabis Inc.	CAD\$		
Directors and Officers of Delta 9 Cannabis Inc. (insert names of same)	CAD\$		
Delta 9 Logistics Inc.	CAD\$		
Directors and Officers of Delta 9 Logistics Inc. (insert names of same)	CAD\$		
Delta 9 Bio-Tech Inc.	CAD\$		
Directors and Officers of Delta 9 Bio-Tech Inc. (insert names of same)	CAD\$		
Delta 9 Lifestyle Cannabis Clinic Inc.	CAD\$		
Directors and Officers of Delta 9 Lifestyle Cannabis Clinic Inc. (insert names of same)	CAD\$		
Delta 9 Cannabis Store Inc.	CAD\$		
Directors and Officers of Delta 9 Cannabis Store Inc. (insert names of same)	CAD\$		

## II. Restructuring Proof of Claim

Debtor	Pre-Filing Claim Amount	Nature of Claim (Secured, Priority, Unsecured or Secured)	Value of Security Held (if any)
Delta 9 Cannabis Inc.	CAD\$		
Directors and Officers of Delta 9 Cannabis Inc. (insert names of same)	CAD\$		
Delta 9 Logistics Inc.	CAD\$		
Directors and Officers of Delta 9 Logistics Inc.	CAD\$		

(insert names of same)			
Delta 9 Bio-Tech Inc.	CAD\$		
Directors and Officers of Delta 9 Bio-Tech Inc. (insert names of same)	CAD\$		
Delta 9 Lifestyle Cannabis Clinic Inc.	CAD\$		
Directors and Officers of Delta 9 Lifestyle Cannabis Clinic Inc. (insert names of same)	CAD\$		
Delta 9 Cannabis Store Inc.	CAD\$		
Directors and Officers of Delta 9 Cannabis Store Inc. (insert names of same)	CAD\$		

The particulars of the undersigned's total Claim, in the sum of \$CAD \_\_\_\_\_  
(insert \$CAD value of total Claim) are attached.

*(Please provide full particulars of the Claim and supporting documentation including amount, description of transaction(s) or agreement(s) or legal breach(es) giving rise to the Claim, name of any guarantor(s) which have guaranteed the Claim, particulars and copies of any security and amount of Claim allocated thereto, date and number of all invoices, particulars of all credits, discounts, etc. claimed. If a Claim is made against any Directors or Officers, specify the applicable Directors or Officers and the legal basis for the Claim against each of them. Any claim for interest must be supported by contractual documentation evidencing the entitlement to interest. Claims should not include the value of goods and/or services supplied or interest accrued after July 15, 2024).*

#### **FILING DEADLINES FOR CLAIM:**

For Pre-Filing Claims, this Proof of Claim must be received by the Applicants and the Monitor before 5:00 p.m. MST on August 17, 2024 (the "**Claims Bar Date**").

For Restructuring Claims, this Proof of Claim must be received by the Applicants and the Monitor on or before the later of: (i) the Claims Bar Date, or 15 Business Days after the Monitor sends the Claims Package with respect to such Claim in accordance with paragraph 17 of the Claims Procedure Order.

Proofs of Claim MUST be submitted by prepaid registered mail, courier, personal delivery, or electronic or digital transmission addressed to the following address:

#### **To the Applicants:**

MLT AIKINS LLP  
2100, 222 - 3<sup>rd</sup> Ave SW

Calgary, AB T2P 0B4  
Attention: Ryan Zahara/Molly McIntosh  
Email: rzahara@mtlaikins.com  
mmcintosh@mtlaikins.com

**To the Monitor:**

ALVAREZ & MARSAL CANADA INC.  
Bow Valley Square 4  
Suite 1110, 250 6<sup>th</sup> Ave SW  
Calgary, AB T2P 3H7  
Email: delta9@alvarezandmarsal.com

**With a copy to:**

BURNET, DUCKWORTH & PALMER LLP

Attention: David LeGeyt (dlegeyt@bdplaw.com)  
Ryan Algar (ralgar@bdplaw.com)  
Jenny Deyholos (jdeyholos@bdplaw.com)

Any such notice or communication delivered by a Claimant shall be deemed to be received upon actual receipt thereof before 5:00 p.m. MST on a Business Day or if delivered outside of normal business hours, the next Business Day.

**CLAIMS WHICH ARE NOT RECEIVED BY THE MONITOR BY THE APPLICABLE CLAIMS BAR DATE WILL BE FOREVER BARRED FROM MAKING OR ENFORCING ANY CLAIM AGAINST ANY OF THE APPLICANTS, THEIR DIRECTORS, OR THEIR OFFICERS.**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

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\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

Print name of Claimant:

\_\_\_\_\_  
*If Claimant is other than an individual, print name and title of authorized signatory*

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**SCHEDULE "D"**

**NOTICE OF REVISION OR DISALLOWANCE**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF DELTA 9  
CANNABIS INC., DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS STORE INC.**

**TO: [name and address of claimant]**

**PLEASE TAKE NOTICE** that this Notice of Revision or Disallowance is being sent pursuant to an order of the Court of King's Bench of Alberta (the "**Court**") dated July 24, 2024 (the "**Claims Procedure Order**") issued in the Applicants' proceedings under the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended. A copy of the Claims Procedure Order, and all other related materials, may be found on the Monitor's Website at: <https://www.alvarezandmarsal.com/Delta9>.

The Monitor, and in the case of a D&O Claim, the named Director or Officer, has reviewed your Notice of Dispute or your Proof of Claim dated \_\_\_\_\_, 2024, and has revised or disallowed your Claim for the following reasons:

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Subject to further dispute by you in accordance with the provisions of the Claims Procedure Order, your Claim will be allowed for voting and distributions purposes as follows:

	Submitted or Disputed Amount	Allowed
Claimant		
Claim		
Classification		

If you **AGREE** with the amount and classification allowed by Monitor as set out above, you need not do anything further; the quantum and classification of your claim, as set out as allowed in this Notice of Revision or Disallowance, will be accepted as your Proven Claim. In the event you take

no action, your claim will also be accepted based on the allowed amount as set out above.

If you **DISAGREE** with the amount and classification allowed by Monitor (or the affected Director of Officer) as described above, you are obligated to file a **Notice of Dispute** with the Monitor within 7 Calendar Days after receipt of the Notice of Revision or Disallowance, failing which the amount and classification of your claim shall be deemed to be as set out as allowed in this Notice of Revision or Disallowance.

In the event the Monitor is unable to resolve the dispute about your allowable claim, you may file an application with the Court for the resolution or adjudication of your claim for voting and distribution purposes by no later than 10 Calendar Days after delivery of the Notice of Dispute of Revision or Disallowance, failing which the amount and classification of your claim shall be deemed to be as set out as allowed in this Notice of Revision or Disallowance.

Additional information about these proceedings may be found on the Monitor's Website or may be obtained by contacting the Monitor directly. Contact details for the Monitor are described below:

ALVAREZ & MARSAL CANADA INC.  
Bow Valley Square 4  
Suite 1110, 250 6<sup>th</sup> Ave SW  
Calgary, AB T2P 3H7  
Email: [delta9@alvarezandmarsal.com](mailto:delta9@alvarezandmarsal.com)

Dated at the City of Calgary, in the Province of Alberta, this [date] of [month], [year].

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**Alvarez & Marsal Canada Inc.**  
in its capacity as Monitor of the Applicants, and not  
in its personal or corporate capacity



**SCHEDULE "E"**

**NOTICE OF DISPUTE OF KNOWN CLAIMANT OR UNKNOWN CLAIMANT**

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, RSC 1985, c C-36, AS AMENDED**

**AND IN THE MATTER OF THE COMPROMISE OR ARRANGEMENT OF DELTA 9  
CANNABIS INC., DELTA 9 LOGISTICS INC., DELTA 9 BIO-TECH INC., DELTA 9  
LIFESTYLE CANNABIS CLINIC INC. and DELTA 9 CANNABIS STORE INC.**

**PLEASE TAKE NOTICE** that by order of the Court of King's Bench of Alberta (the "**Court**") dated July 24, 2024 (the "**Claims Procedure Order**"), in the Applicants' proceedings under the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended, the Monitor, with assistance from the Applicants, have been authorized to conduct a claims procedure (the "**Claims Procedure**"). A copy of the Claims Procedure Order, and all other related materials, may be found on the Monitor's Website at: <https://www.alvarezandmarsal.com/Delta9>.

Name of Claimant: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Facsimile Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**PLEASE TAKE NOTICE THAT**, pursuant to the Claims Procedure Order, we hereby give you notice of our intention to dispute the Notice to Known Claimant or the Notice of Revision or Disallowance, as applicable, issued by Alvarez & Marsal Canada Inc., acting in its capacity as Court-appointed Monitor of the Delta 9 Group in respect of our Claim. We dispute the following portion(s) of our Claim as articulated in the Notice to Known Claimant or Notice of Revision or Disallowance, as applicable:

<b>Claim as Listed in the Notice to Known Claimant (\$CAD)</b>	<b>Revised Claim (\$CAD)</b>

or

<b>Allowed Claim as Listed in the Notice of Revision or Disallowance (\$CAD)</b>	<b>Revised Claim (\$CAD)</b>

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<b>Allowed Classification of Claim as Listed in the Notice of Revision</b>	<b>Revised Classification</b>

Reason for the dispute (attach copies of any supporting documentation):

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The address for Service of Notice of Dispute is as follows:

**To the Applicants:**

MLT AIKINS LLP  
 2100, 222 - 3<sup>rd</sup> Ave SW  
 Calgary, AB T2P 0B4  
 Attention: Ryan Zahara/Molly McIntosh  
 Email: rzahara@mltaikins.com  
 mmcintosh@mltaikins.com

**To the Monitor:**

ALVAREZ & MARSAL CANADA INC.  
 Bow Valley Square 4  
 Suite 1110, 250 6<sup>th</sup> Ave SW  
 Calgary, AB T2P 3H7  
 Email: delta9@alvarezandmarsal.com

**With a copy to:**

BURNET, DUCKWORTH & PALMER LLP  
  
 Attention: David LeGeyt (dlegeyt@bdplaw.com)  
 Ryan Algar (ralgar@bdplaw.com)  
 Jenny Deyholos (jdeyholos@bdplaw.com)

**THIS FORM AND ANY REQUIRED SUPPORTING DOCUMENTATION MUST BE RETURNED TO THE MONITOR AND THE APPLICANT BY REGISTERED MAIL, PERSONAL SERVICE, EMAIL, FACSIMILE OR COURIER TO THE ADDRESS INDICATED ABOVE:**

- **FOR NOTICE OF DISPUTE OF KNOWN CLAIMANT MUST BE ACTUALLY RECEIVED BY 5:00 P.M. ON THE CLAIMS BAR DATE**

**OR**

- **FOR A NOTICE OF DISPUTE OF UNKNOWN CLAIMANT MUST BE ACTUALLY RECEIVED BY 5:00 P.M. CALGARY TIME 7 CALENDAR DAYS AFTER RECEIPT OF NOTICE OF REVISION OR DISALLOWANCE.**

In the event that the Monitor is unable to resolve a dispute regarding my claim following its receipt of this Notice of Dispute of Revision or Disallowance, I understand that:

- a) I am obligated to make an application to the Court for the resolution or adjudication of the Claim for voting and distribution purposes; and,
- b) any such application must be filed in the Court (and served on the Applicants and the Monitor) no later than 10 Calendar Days after the Claimant has delivered a Notice of Dispute of Revision or Disallowance, failing which the amount and classification of such Claimant's Claim shall be deemed to be as set out in the Notice of Revision or Disallowance.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
Witness

Per: \_\_\_\_\_

Name of Claimant

\_\_\_\_\_

*If Claimant/Restructuring Period Claimant is other than an individual, print name and title of authorized signatory*

Name: \_\_\_\_\_

Title: \_\_\_\_\_