

## SCHEDULE “C”

### INSTRUCTION LETTER

#### **IN THE MATTER OF OKANAGAN GROWERS DISTRIBUTION COOPERATIVE (FORMERLY BC TREE FRUITS COOPERATIVE), BC TREE FRUITS INDUSTRIES LIMITED and 0015755 B.C. LTD. (FORMERLY GROWERS SUPPLY COMPANY LIMITED)**

This Instruction Letter must be read together with the Member Distribution Determination Order of the Supreme Court of British Columbia granted on April 9, 2026 (the “**Member Distribution Determination Order**”). The Member Distribution Determination Order establishes a process for the determination and adjudication of the amount of tree fruits delivered by current and former members of Okanagan Growers Distribution Cooperative, formerly known as the BC Tree Fruits Cooperative (“**OGDC**”) for the purposes of determining potential distributions to members (the “**Member Distribution Determination Procedure**”).

A copy of the Member Distribution Determination Order is enclosed herewith and is also available at: <https://www.alvarezandmarsal.com/bctreefruits>. All capitalized terms not otherwise defined in this document have the same meanings as are found in Schedule “B” of the Member Distribution Determination Order.

As part of the Member Distribution Determination Procedure, you have been identified as a current or former member of OGDC who has delivered tree fruits to OGDC in the amount set out in the Delivery Assessment Notice. This Instruction Letter provides important details regarding the Receiver’s assessment of your Delivery Amount, the documents sent to you in the Distribution Determination Package, and how to respond to them.

**Please note that certain steps you may wish to take with respect to your Delivery Amount must be done prior to the Delivery Reporting Deadline, which is 5:00 p.m. (Vancouver time) on, 2026. Failure to take certain actions prior to the Delivery Reporting Deadline may impact your claims of entitlement to any distributions to Members and can result in such claims becoming forever barred and extinguished.**

#### **Overview of the Member Distribution Determination Procedure**

Pursuant to the Reasons for Judgment issued by the Court on February 12, 2026, the Receiver has been directed to comply with the existing OGDC rules in making any future distributions of surplus funds to current and former members.

In this regard, please refer to Rule 125 of the *Rules of BC Tree Fruits Cooperative*, revised November 16, 2021, which is reproduced as follows:

#### **125. Distribution of surplus in final year of operations**

After setting aside the amount required as a reserve and paying any dividend permitted by these Rules, the Association must, but only in the year in which it intends to permanently cease operations, distribute the whole of its then accumulated surplus, including all amounts realized from the sale or other disposition of its assets (but after setting aside an amount equal to the aggregate paid up capital of all its outstanding shares), to the members and former members of the Association (including the heirs, executors, administrators, successors and assigns) in the same proportion that the tonnage of tree fruits accepted by the Association from each of them (or from the grower through whom the member or former member derives or derived membership) in the previous 6 years bears to the total tonnage of tree fruits accepted by the Association from all its growers during those same 6 years.

Where the Receiver has sufficient information to make an assessment of a Member's Delivery Amount, the Receiver has set out in the Delivery Assessment Notice included in the Distribution Determination Package such Delivery Amount, being the total amount (by weight in pounds) of tree fruits which have been delivered by the active Member and accepted by OGDC between June 1, 2018 and May 31, 2024 based on OGDC's books and records. For clarity, only pounds delivered while a grower was an active Member of OGDC count toward the Member's Delivery Amount.

Additional information and forms related to the Member Distribution Determination Procedure can be found in the Receiver's Website or obtained by contacting the Receiver at the address indicated below, and providing your contact information including name, address and email address.

***A. Delivery Assessment Notice***

If you have received a Delivery Assessment Notice, you have two options:

**1. If you agree with your Delivery Amount as set out in the Delivery Assessment Notice:**

If you **AGREE** with the assessment of your Delivery Amount as set out in the Delivery Assessment Notice, **YOU NEED NOT TAKE ANY FURTHER ACTION**. Your Delivery Amount will be considered a Proven Delivery Amount for the purpose of the Member Distribution Determination Procedure.

**2. If you wish to dispute your Delivery Amount as set out in the Delivery Assessment Notice:**

If you **DISAGREE** with the assessment of your Delivery Amount as set out in the Delivery Assessment Notice, you must **COMPLETE AND RETURN TO THE RECEIVER** a Member Declaration setting forth the total amount (by weight in pounds) of tree fruits which have been delivered by you as a Member and accepted by OGDC between June 1, 2018 and May 31, 2024. A blank Member Declaration is enclosed.

The Member Declaration must attach all appropriate documentation evidencing the Delivery Amount you are claiming, including but not limited to, for example, any delivery receipts or pool payment reports you have received from the OGDC. For more information on what to include in the Member Declaration, please refer to section C below. **The completed Member Declaration must be received by the Receiver by 5:00 p.m. (Vancouver time) on May 11, 2026.**

If no Member Declaration is received by the Receiver by the Delivery Reporting Deadline, subject to further Order of the Court, you will be deemed to have accepted the Delivery Amount set forth in the Delivery Assessment Notice, and any further claims against the Petitioners for a further Delivery Amount will be **FOREVER BARRED AND EXTINGUISHED**, and you will be prohibited from making or enforcing any further claims of entitlement to any distributions which may be made, against the Receiver, the Petitioners or the receivership estate.

***B. No Delivery Assessment Notice***

If you did not receive a Delivery Assessment Notice, it means OGDC's books and records do not identify you as a Member with a Delivery Amount greater than zero (0). If you believe you have delivered as a Member, and OGDC has accepted from you, tree fruits during the period between June 1, 2018 and May 31, 2024, inclusive, and your Delivery Amount was not assessed by the Receiver, you must complete and return to the Receiver a Member Declaration setting forth the Delivery Amount you are claiming. A blank Member Declaration is enclosed.

The Member Declaration must attach all appropriate documentation evidencing your Delivery Amount, including but not limited to, for example, any delivery receipts or pool payment reports you have received from the OGDC. For more information on what to include in the Member Declaration, please refer to section C below. **The completed Member Declaration must be received by the Receiver by 5:00 p.m. (Vancouver time) on May 11, 2026.**

### ***C. Member Declaration***

If you are required to submit a Member Declaration, either because the Receiver did not deliver a Delivery Assessment Notice or because you disagree with your Delivery Amount as set out in the Delivery Assessment Notice, the Member Declaration must:

1. attach all appropriate documentation evidencing your Delivery Amount. Examples of such documentation may include delivery receipts or pool payment reports,
2. provide full particulars of the Delivery Amount you are claiming to have delivered as an active Member, including membership information, particulars of the type of tree fruits, amounts delivered, description and date of deliveries, *etc.*; and
3. be sent to the Receiver, together with the required supporting documentation, by registered mail, courier, email (in one PDF file), or personal delivery addressed to:

**Alvarez & Marsal Canada Inc.**

Court-Appointed Receiver of Okanagan Growers Distribution Cooperative, BC Tree Fruits Industries Limited and 0015755 B.C. Ltd.  
925 West Georgia Street, Suite 902  
Vancouver, British Columbia V6C 3L2

**Attention: Anthony Tillman and Pinky Law**

Email: [bctreefruits@alvarezandmarsal.com](mailto:bctreefruits@alvarezandmarsal.com)

Where a Member Declaration is received by the Receiver, the Receiver will review the Member Declaration and, as soon as reasonably practicable, determine whether the Delivery Amount set out in the applicable form is accepted, disputed in whole, or disputed in part.

### ***D. Notice of Adjustment***

If the Receiver disagrees with the Delivery Amount as set out in the Member Declaration you submit to the Receiver, the Receiver will issue a Notice of Adjustment to you advising that your Delivery Amount has been revised or disallowed and the reasons for such revision or disallowance.

If you receive a Notice of Adjustment, and object to the revision or disallowance, as applicable, you must:

1. submit to the Receiver a Dispute Notice by registered mail, courier, email (in one PDF file), or personal delivery to the Receiver **by no later than June 15, 2026**. A blank Dispute Notice is enclosed; and
2. file with the Court and serve on the Receiver a Notice of Application seeking to dispute the Notice of Adjustment, along with all supporting affidavit material, **by no later than June 29, 2026**.


The dispute of the Notice of Adjustment shall proceed as a hearing *de novo* to be heard **no later than July 31, 2026**, and parties may bring forward evidence in respect of the Delivery Amount not previously included in

connection with the applicable Member Declaration, or in connection with the corresponding Notice of Adjustment.

**IF YOU DO NOT RECEIVE A DELIVERY ASSESSMENT NOTICE FROM THE RECEIVER ASSESSING YOUR DELIVERY AMOUNT, AND YOU FAIL TO SUBMIT A MEMBER DECLARATION BY THE DELIVERY REPORTING DEADLINE, YOUR CLAIM(S) OF ENTITLEMENT TO ANY DISTRIBUTIONS WILL BE FOREVER BARRED AND EXTINGUISHED, AND YOU WILL BE PROHIBITED FROM MAKING OR ENFORCING SUCH CLAIM(S) AGAINST THE RECEIVER, THE PETITIONERS OR THE RECEIVERSHIP ESTATE.**

**DATED** this 10th day of April, 2026 at Vancouver, British Columbia

**ALVAREZ & MARSAL CANADA INC.**, in its capacity as the Court-appointed receiver of the assets, undertakings and property of Okanagan Growers Distribution Cooperative, BC Tree Fruits Industries Limited and 0015755 B.C. Ltd., and not in its personal or corporate capacity

Per:   
Name: Anthony Tillman  
Title: Senior Vice President