

COURT FILE NUMBER 2301-13922

COURT COURT OF KING'S BENCH
OF ALBERTA

JUDICIAL CENTRE CALGARY

MATTER IN THE MATTER OF THE RECEIVERSHIP OF OGEN
HOLDINGS LTD. and OGEN LTD.

APPLICANT ALVAREZ & MARSAL CANADA INC.

DOCUMENT **ORDER (SEALING ORDER)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT
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DATE ON WHICH ORDER WAS PRONOUNCED: FEBRUARY 16, 2024

LOCATION OF HEARING OR TRIAL: EDMONTON, ALBERTA

NAME OF JUDGE WHO MADE THIS ORDER: JUSTICE M.J. LEMA

UPON THE APPLICATION of Alvarez & Marsal Canada Inc. filed February 8, 2024 (the "**Application**") in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of certain of the remaining assets, undertaking, and properties of OGEN Ltd. and OGEN Holdings Ltd. (collectively, the "**Debtors**"), for an Order sealing the Confidential Appendices (as defined below):

AND UPON HAVING READ the Application, the Receivership Order granted by the Honourable Justice D.R. Mah on November 3, 2023 and filed November 6, 2023 (the "**Receivership Order**"), the First Report of the Receiver dated November 16, 2023 (the "**First Report**"), the Second Report of the Receiver dated February 8, 2024 (the "**Second Report**"), Confidential Appendix 1, Confidential Appendix 2 and Confidential Appendix 3 appended to the Second Report (collectively, the "**Confidential Appendices**"), and the Affidavit of Service of

Colleen Finnerty sworn February 14, 2024; **AND UPON IT** appearing that all interested and affected parties have been served with notice of the Application; **AND UPON HEARING** the submissions of counsel for the Receiver and all other interested parties present;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The Confidential Appendices are hereby directed to be sealed.
2. The Clerk of the Court is hereby directed to seal the Confidential Appendices on the Court file until the earlier of:
 - a. an Order of this Honourable Court directs that the Confidential Appendices be filed in this Action; or
 - b. a sale of the Debtors' assets by the Receiver has closed respecting the Confidential Appendices and the Receiver files its Receiver's Certificate with the Clerk of the Court confirming a sale of the Debtors' assets has closed.
3. The Clerk of the Court is hereby directed to seal the Confidential Appendices in an envelope setting out the style of cause in the within proceedings and labelled:

THIS ENVELOPE CONTAINS A CONFIDENTIAL DOCUMENT. THE CONFIDENTIAL DOCUMENT IS SEALED ON COURT FILE 2301-13922 PURSUANT TO THE ORDER ISSUED BY THE HONOURABLE JUSTICE M.J. LEMA ON FEBRUARY 16, 2024. THIS CONFIDENTIAL DOCUMENT IS NOT TO BE ACCESSED BY ANY PERSON UNTIL THE EARLIER OF AN ORDER OF THE COURT DIRECTING THAT THE CONFIDENTIAL DOCUMENT BE FILED AND/OR THE FILING OF A RECEIVER'S CERTIFICATE FROM ALVAREZ & MARSAL CANADA INC., IN ITS CAPACITY AS RECEIVER OF THE DEBTORS, CONFIRMING THIS CONFIDENTIAL DOCUMENT MAY BE FILED.



The Honourable Justice M.J. Lema
Justice of the Court of King's Bench of Alberta