

**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

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**ORDER**  
**(STAY EXTENSION AND OTHER RELIEF)**

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Client File No. 1102-154

## **THE KING'S BENCH WINNIPEG CENTRE**

THE HONOURABLE )  
MR. JUSTICE KROFT ) . Wednesday, the 25<sup>th</sup> day of January, 2023

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  
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**ORDER**  
**(STAY EXTENSION AND OTHER RELIEF)**

THIS MOTION made by the Applicants for an Order, *inter alia*: (i) extending the Stay Period as defined in paragraph 10 of the Amended and Restated Initial Order entered December 2, 2022 ("Initial Order") to and including April 28, 2023; (ii) approving the Pre-Filing Report of the Proposed Monitor, Alvarez & Marsal Canada Inc. ("A&M"), dated November 29, 2022 ("Pre-Filing Report") and the First Report of the Monitor, A & M, dated January 20, 2023 ("First Report") in its capacity as Monitor of the Applicants ("Monitor") and the activities, actions, and conduct described therein; (iii) approving the professional fees of the Monitor and the Monitor's legal counsel, as set out in the First Report; (iv) empowering and authorizing the Monitor to convey, transfer, lease, or assign any part or parts of the Property (as defined in the Initial Order) out of the ordinary

course of business without further approval of this Court in respect of any transaction not exceeding \$50,000 and provided that the aggregate consideration for all such transactions does not exceed \$350,000; and (v) such further and other relief as to this Honourable Court may deem just was heard this day at Winnipeg, in the Province of Manitoba.

ON READING the Affidavit of Keith McConnell sworn November 28, 2022, the Pre-Filing Report and the First Report, and on hearing the submissions of counsel for the Applicants, counsel for the Monitor, counsel for Canadian Imperial Bank of Commerce ("CIBC"), counsel for Doctors Manitoba on a watching brief, counsel for Dr. Jastrzebski, Dr. Manusow, Dr. Kanjee and Dr. Stockl appearing on a watching brief, and Thomas Harper acting in his own capacity, no one appearing for any other party although duly served as appears from the Affidavit of Service of Laura Leigh Buley sworn January 24, 2023:

**Service**

1. THIS COURT ORDERS that the time for service of the Notice of Motion and the supporting materials is hereby abridged and validated so that the motion is properly returnable today and hereby dispenses with further service thereof.

**Stay Extension**

2. THIS COURT ORDERS that the Stay Period is hereby extended until and including April 28, 2023.

### **Monitor's Activities and Related Matters**

3. THIS COURT ORDERS that the Pre-Filing Report, the First Report and the activities, actions, and conduct as described therein are hereby approved.

4. THIS COURT ORDERS that the professional fees and disbursements of the Monitor and its legal counsel, McDougall Gauley LLP, as set out in the First Report, are hereby approved.

### **Property Sales**

5. THIS COURT ORDERS that the Monitor, with the consent of CIBC, is hereby empowered and authorized, but not obligated, to convey, transfer, lease, or assign any part or parts of the Property (as defined in the Initial Order) out of the ordinary course of business without further approval of this Court in respect of any transaction not exceeding \$50,000 and provided that the aggregate consideration for all such transactions does not exceed \$350,000.

Date: *January 26, 2023*

**D. J. KROFT**  
Kroft, J.

I, DAVID R.M. JACKSON, of the firm of Taylor McCaffrey LLP, hereby certify that I have received the consents as to form of the following parties:

J.J. Burnell of MLT Aikins LLP, counsel for CIBC

Ian Sutherland, K.C. of McDougall Gauley LLP, counsel for the Monitor

As directed by the Honourable Mr. Justice Kroft.