

No. S241161
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36

BETWEEN:

THE BANK OF NOVA SCOTIA

PETITIONER

AND:

BIFANO CONSOLIDATED INC.,
BIFANO FARMS INC.
NATA FARMS INC.,
SSC VENTURES (NO. 105) LTD. AND
SPALLUMCHEEN FARM LTD.

RESPONDENTS

SEALING ORDER
~~ORDER MADE AFTER APPLICATION~~

BEFORE THE HONOURABLE MADAM
JUSTICE FITZPATRICK

)
)
)
)

MONDAY, THE 24TH DAY
OF JUNE 2024

ON THE APPLICATION of Alvarez & Marsal Canada Inc., in its capacity as Monitor of the Respondents (in such capacity, the “**Monitor**”), coming on for hearing at Vancouver Registry on Monday, June 24, 2024, and UPON HEARING Noor Mann and Bryan C. Gibbons, counsel for the Monitor, and those other counsel listed on **Appendix “A”** attached hereto; AND UPON READING the material filed, including the Third Report of the Monitor; AND PURSUANT TO the *British Columbia Supreme Court Civil Rules*, and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS that:

Service

~~1. The time for service and filing of the Notice of Application is hereby abridged and validated such that this Notice of Application is properly returnable today and hereby dispenses with further service thereof.~~

Sealing Order

~~2.~~ The following documents be sealed by the Registrar of this Honourable Court for the duration noted:

Items to be sealed

Description	Date filed: (Date on Court Stamp)	Number of copies filed, including any extra copies for the judge.	Duration of sealing order: (to specific date or until further order)	Sought	Granted	
					YES	NO
1) Entire File				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Specific Documents The Monitor's Confidential Supplement to the Third Report to the Court dated June 19, 2024	To be filed.	1	Until 30 days after the date upon which Alvarez & Marsal Canada Inc., in its capacity as court-appointed receiver and manager (in such capacity, the "Receiver"), has completed the sale of all, or substantially all, of the assets of the Respondents and has filed with the Court the certificate in the form attached hereto as Appendix "B" confirming same.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Clerk's Notes				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Order				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Reasons for Judgment				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Access to the sealed items is restricted to the following persons:

a. ☐ Parties

b. ☒ Counsel for the Receiver and the Petitioner

c. ☐ Others [Specify]

4. Endorsement of this Order by counsel appearing on this Application 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:



NOOR MANN

Lawyer for the Monitor, Alvarez & Marsal
Canada Inc.

By the Court.



Registrar

APPENDIX "A"

List of Counsel

Counsel	Party
Bryan C. Gibbons Noor Mann	The Monitor, Alvarez & Marsal Canada Inc.
Mishaal Gill	The Bank of Nova Scotia
Scott Stephens	^{CWB National Leasing} Canadian Western Bank
Jordan Schultz	The Respondents

APPENDIX "B"

Receiver's Certificate

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RECEIVER'S CERTIFICATE OF COMPLETION

Pursuant to the Order made June 24, 2024 in these proceedings (the "Sealing Order"), Alvarez & Marsal Canada Inc., in its capacity as court-appointed receiver and manager of all of the assets, undertakings and properties of the Respondents, files this Certificate with this Honourable Court as confirmation that it has completed the sale of all, or substantially all, of the assets of the Respondents.

Dated: _____, 202__

Alvarez & Marsal Canada Inc., in its
capacity as Court Appointed Receiver

Per: _____

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SEALING ORDER



Barristers & Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
V6C 3L2

Phone: (604) 685-3456
Attention: Bryan C. Gibbons