

SUPREME COURT
OF BRITISH COLUMBIA
VANCOUVER REGISTRY

AUG 15 2024

ENTERED



IN THE SUPREME COURT OF BRITISH COLUMBIA

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

No. S241161
Vancouver Registry

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

BEFORE THE HONOURABLE MADAM
JUSTICE FITZPATRICK

)
) MONDAY THE 12TH DAY
) OF AUGUST 2024
)

ON THE APPLICATION of Alvarez & Marsal Canada Inc., in its capacity as Court-appointed Receiver and Manager (the “**Receiver**”) of all of the assets, undertakings and properties of Bifano Consolidated Inc., Bifano Farms Inc., Nata Farms Inc., SSC Ventures (No. 105) Ltd. and Spallumcheen Farm Ltd. (collectively, “**Bifano**”) coming on for hearing at Vancouver, British Columbia, on the 12th day of August 2024; AND UPON HEARING Bryan C. Gibbons, counsel for the Receiver, and those other counsel listed on **Appendix “A”** hereto, and UPON READING the material filed herein, including the Supplement to the First Report of the Receiver; AND PURSUANT TO THE *British Columbia Supreme Court Civil Rules*, and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS that:

Sealing Order

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

Items to be sealed

| Description | Date filed: <i>(Date on Court Stamp)</i> | Number of copies filed, including any extra copies for the judge. | Duration of sealing order: <i>(to specific date or until further order)</i> | Sought | Granted | |
|--|---|---|---|-------------------------------------|-------------------------------------|--------------------------|
| | | | | | YES | NO |
| 1) Entire File | | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) Specific Documents Confidential Affidavit #2 of Todd Martin made August 7, 2024 | To be filed. | 1 | Until 30 days after the date upon which The Receiver has filed with the Court the certificate in the form attached at Schedule "B" of the Approval and Vesting Order made in this Proceeding on August 12, 2024 | <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"/> |

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

- a. ☐ Parties
- b. ☒ Counsel for the Receiver and the Petitioner
- c. ☐ Others [Specify]

3. Endorsement of this Order by counsel appearing on this Application is hereby dispensed with.

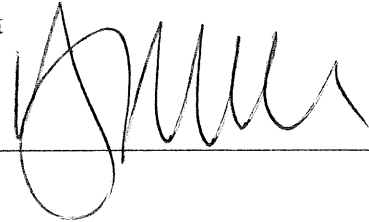
THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



BRYAN GIBBONS

Lawyer for the Receiver, Alvarez & Marsal
Canada Inc.

By the Court



Registrar



APPENDIX "A"

List of Counsel

| Counsel | Party |
|--------------------------------|--|
| Bryan C. Gibbons | The Receiver, Alvarez & Marsal Canada Inc. |
| Kibben Jackson Mishaal Gill | The Bank of Nova Scotia |
| Bryan Hicks | Hallano Farm Holdings Inc. |
| Cassandra Federico | The Respondents, Bifano Consolidated Inc., Bifano Farms Inc., SSC Ventures (No. 105) Ltd. and Spallumcheen Farm Ltd. |
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Barristers & Solicitors
1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
V6C 3L2

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