

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

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

AND

IN THE MATTER OF THE *CANADA BUSINESS CORPORATIONS ACT*, R.S.C. 1985, c. C-44 AND  
THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57

AND

IN THE MATTER OF SUNNIVA INC., SUNNIVA MEDICAL INC., 11111035 CANADA INC. AND  
1167025 B.C. LTD

PETITIONERS

**ELECTRONIC MEETING PROTOCOL**

By order of the Supreme Court of British Columbia (the “**Court**”) pronounced January 15, 2021 (the “**Meeting Order**”), Alvarez & Marsal Canada Inc., the Court-appointed monitor (the “**Monitor**”) of the Petitioners in the within proceedings (the “**CCAA Proceedings**”), has been authorized to convene, hold and conduct a meeting of the Petitioners’ Affected Creditors (the “**Meeting**”) to consider and vote on the Amended Consolidated Plan of Compromise and Arrangement of the Petitioners dated for reference January 14, 2021 as may be amended (the “**Plan**”).

To facilitate the Meeting during the COVID-19 pandemic, and to promote and maintain safe social distancing, the Court has approved the following substantive Electronic Meeting Protocol (the “**Protocol**”). Capitalized terms not otherwise defined in this Protocol have the meanings ascribed to them in the Plan and the Meeting Order. Copies of the Plan and the Meeting Order are available at the Monitor’s Website: <https://www.alvarezandmarsal.com/sunniva>.

**MEETING DETAILS**

1. Date of the Meeting: February 5, 2021
2. Time of the Meeting: 3:00 p.m. (Vancouver time)
3. Meeting platform: MS Teams

**TECHNOLOGY AND MEETING ETIQUETTE**

4. The Meeting will be conducted using the MS Teams virtual meeting platform. MS Teams can be downloaded at <https://teams.microsoft.com/uswe-01/downloads> or accessed through your web browser.
5. Prior to the Meeting, you are required to learn the software, as the Chair will not have the capacity to answer questions concerning the technology during the Meeting.

6. During the Meeting:
  - (a) leave your microphone device on mute until recognized by the Chair to prevent background noise; and
  - (b) turn your video feed off within the program, to prevent unnecessary use of bandwidth.

## **PRE-MEETING REQUIREMENTS**

7. Proxy cut-off: All proxies to be deposited with the Chair in accordance with the Meeting Order must be received by the Monitor at [sunniva@alvarezandmarsal.com](mailto:sunniva@alvarezandmarsal.com) by 9:00 a.m. on February 5, 2021. The Monitor will provide you with confirmation of receipt. If you have not received a confirmation of receipt by 1:00 p.m. on February 5, 2021, please follow up with the Monitor by email to [sunniva@alvarezandmarsal.com](mailto:sunniva@alvarezandmarsal.com).
8. Attendance Notice: Parties intending to attend the meeting in person shall notify the Monitor by email at [sunniva@alvarezandmarsal.com](mailto:sunniva@alvarezandmarsal.com) by 8:30 a.m. on February 5, 2021. The Monitor will provide you with confirmation of receipt. If you have not received a confirmation of receipt by 1:00 p.m. on February 5, 2021, please follow up with the Monitor by email to [sunniva@alvarezandmarsal.com](mailto:sunniva@alvarezandmarsal.com).
9. Prior to the Meeting, the Monitor will provide information by email to parties that have delivered proxies or notice of in-person attendance. The information to be provided in advance of the Meeting is:
  - (a) a proposed agenda for the Meeting;
  - (b) a unique creditor identification number;
  - (c) confirmation as to the status of your claim (whether it is admitted or contested for voting purposes); and
  - (d) the Meeting ID and password.

## **CONDUCT AT MEETING**

### **Registration**

10. The MS Teams Meeting will be open at 2:30 p.m. on February 5, 2021 to provide sufficient time for registration. You are encouraged to call in early, and no later than 2:45 p.m. so that the registration process can be completed in a timely fashion and not delay the commencement of the Meeting. The Meeting will begin promptly, and the Chair may not have capacity to admit late registrations.
11. During the registration process, you will be required to:
  - (a) identify yourself by your unique creditor identification number and/or whether you hold a proxy;
  - (b) identify any additional individuals in attendance with you, including their capacity (legal counsel and firm as applicable); and

- (c) confirm your contact details and claim amount.

### **Calling the Meeting to Order**

- 12. A representative of the Monitor will act as Chair of the Meeting.
- 13. The Chair will call the Meeting to order at 3:00 p.m. (Vancouver time) on February 5, 2021, and will adjourn the Meeting, if the Chair determines that is necessary to permit completion of the registration process. The time of the adjournment will be estimated by the Chair at the time the adjournment is declared.

### **Motions and Voting at the Meeting**

- 14. The Chair will maintain a roster of all participants compiled during the registration process. When a motion is called for by the Chair, either as a standard protocol motion for such meetings or based on a request for a motion generally, the Chair will request from the general population of Affected Creditors in attendance at the Meeting for:
  - (a) a second of the motion; and
  - (b) a call for a vote on the motion, by way of ordinary resolution, as may be required in the circumstances.
- 15. In all instances, and in respect of all motions and votes, the Chair is authorized to accept ballots and/or votes electronically, by a show of hands, or by such other means as the Chair deems sufficient in the circumstances.

### **Questions at the Meeting**

- 16. The MS Teams platform includes a chat feature that allows you to submit questions to the Chair electronically. For the purposes of asking questions at the Meeting, please use the chat feature and (a) include your creditor identification number, and (b) state your interest in asking a question.
- 17. The Chair will recognize your interest in asking a question in the following priority:
  - (a) those that have submitted requests via the chat function, and in the order of registration; and
  - (b) those that are unable to register on the chat or prefer not to do so, via a general call for questions.
- 18. Once recognized by the Chair, and before asking your question, please state: (a) your creditor identification number; (b) your name; and (c) the creditor you represent. You may then ask your question.
- 19. For clarity, you will not be permitted to ask a question or to speak at the Meeting unless and until you have been recognized by the Chair.

### **POST-MEETING REPORTING**

- 20. The Monitor will, within two (2) Business Days of the Meeting, provide a report that includes:

- (a) a summary of all motions called at the Meeting;
- (b) the result of the votes on each motion; and
- (c) such further and other information as determined by the Chair to be necessary.

The report will be available on the Monitor's website at: <https://www.alvarezandmarsal.com/sunniva>.