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**IN THE MATTER OF SUNNIVA INC., SUNNIVA MEDICAL INC., 11111035 CANADA INC.  
AND 1167025 B.C. LTD (collectively, the “Petitioners”)**

**CLAIMS PROCESS INSTRUCTION LETTER**

The Petitioners have identified you as a Person with a possible Claim against them. This Claims Process Instruction Letter provides instructions regarding what you need to do to participate in the Claims Process.

**1. Overview of the Claims Process**

By order of the Supreme Court of British Columbia (the “**Court**”) dated October 19, 2020 (as may be amended, restated or supplemented from time to time, the “**Claims Process Order**”), in the proceeding commenced by the Petitioners under the *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the “**CCAA**”), the Petitioners have been authorized to conduct a claims process (the “**Claims Process**”).

A copy of the Claims Process Order, with all schedules, may be found on the Monitor’s Website at: [www.alvarezandmarsal.com/sunniva](http://www.alvarezandmarsal.com/sunniva). Capitalized terms not defined within this Claims Process Instruction Letter shall have the same meanings as are given to them in the Claims Process Order.

Participation in the Claims Process is intended for: (i) any Person asserting a Claim (other than an Unaffected Claim) of any kind or nature whatsoever against any of the Petitioners and/or any of their Directors and/or Officers arising before the Filing Date; or (ii) any Person asserting a Restructuring Claim arising as a result of a disclaimer, resiliation or termination by any of the Petitioners, on or after the Filing Date, of any contract including any employment agreement, lease or other agreement or arrangement of any nature whatsoever, whether written or oral, and whether such restructuring, disclaimer, resiliation or termination took place or takes place before or after the date of the Claims Process Order.

**If a notice setting out the amount which the Petitioners have determined to be the amount of your Claim (a “Claim Amount Notice”) is enclosed with this letter, and you do not dispute the nature or amount of such Claim as set out in the Claim Amount Notice, you are not required to file a Proof of Claim. If a Claim Amount Notice is enclosed and you dispute the nature or amount of such Claim as set out in the Claim Amount Notice, you must file a Proof of Claim (as referenced in section 2 below) to avoid the barring of that portion of your Claim that exceeds the amount set out in the Claim Amount Notice. Any Creditor who receives a Claim Amount Notice and who does not file a Proof of Claim by the Claims Bar Date in accordance with section 2 below is deemed to have accepted the nature and amount of such Claim, as set out in the applicable Claim Amount Notice.**

**If a Claim Amount Notice is not enclosed with this letter and you wish to file a Claim, you must file a Proof of Claim (as referenced in section 2 below) to avoid the barring of any Claim which you may have against any of the Petitioners and/or any of their Directors and/or Officers.**

All enquiries or questions regarding the Claims Process should be addressed to the Court-appointed Monitor at:

Alvarez & Marsal Canada Inc.  
Court-appointed Monitor of Sunniva Inc., *et. al.*  
1680 – 400 Burrard Street  
Vancouver, British Columbia V6C 3A6  
Attention: Pinky Law  
Email: [sunniva@alvarezandmarsal.com](mailto:sunniva@alvarezandmarsal.com)

## 2. For Creditors Submitting a Proof of Claim

If you have not received a Claim Amount Notice, or you have received a Claim Amount Notice and you dispute the nature or amount of such Claim as set out in the Claim Amount Notice, you are required to file a Proof of Claim, in the form enclosed herewith, and ensure **that it is received by the Monitor by 5:00 p.m. (Vancouver time) on November 16, 2020** (the “Claims Bar Date”), to avoid the barring of any Claim (other than a Restructuring Claim) you may have against any of the Petitioners and/or any of their Directors and/or Officers in excess of any amount set out in the Claim Amount Notice enclosed herewith, if any.

To avoid the barring of any Restructuring Claim you may have against any of the Petitioners and/or any of their Directors and/or Officers, you are required to file a Proof of Claim, in the form enclosed herewith, and ensure **that it is received by the Monitor by the later of: (a) the Claims Bar Date, and (b) 5:00 p.m. (Vancouver time) on the day which is ten (10) days after the date of the Notice of Disclaimer or Resiliation** sent to you (the “Restructuring Claims Bar Date”).

For the avoidance of doubt, any Claim or Restructuring Claim you may have against any of the Petitioners must be filed in accordance with the Process set forth herein.

Additional Proof of Claim forms can be found on the Monitor’s website at [www.alvarezandmarsal.com/sunniva](http://www.alvarezandmarsal.com/sunniva) or obtained by contacting the Monitor at the address indicated above and providing particulars as to your name, address, facsimile number and e-mail address. Once the Monitor has this information, you will receive, as soon as practicable, additional Proof of Claim forms.

If you are submitting your Proof of Claim electronically, please submit your Proof of Claim form and any accompanying documentation in one PDF file and ensure the name of the file is **[legal name of creditor]poc.pdf**.

## 3. Claims Order

While this Instruction Letter, along with its accompanying Proof of Claim form, is provided to assist you in the Claims Process, you must comply with the terms of the Claims Process Order pronounced October 19, 2020.

**UNLESS YOU ARE A HOLDER OF A CLAIM FOR WHICH YOU HAVE RECEIVED A CLAIM AMOUNT NOTICE THAT YOU DO NOT DISPUTE, IF A PROOF OF CLAIM IN RESPECT OF YOUR CLAIM IS NOT RECEIVED BY THE MONITOR BY THE CLAIMS BAR DATE OR RESTRUCTURING CLAIMS BAR DATE, AS APPLICABLE:**

- A. YOUR CLAIM WILL BE FOREVER BARRED AND YOU WILL BE PROHIBITED FROM MAKING OR ENFORCING A CLAIM AGAINST ANY OF THE PETITIONERS AND/OR ANY OF THEIR DIRECTORS AND/OR OFFICERS;**
- B. YOU SHALL NOT BE PERMITTED TO VOTE ON ANY PLAN OF ARRANGEMENT OR COMPROMISE OR ENTITLED TO ANY FURTHER NOTICE OR DISTRIBUTION UNDER THE PLAN, IF ANY;**
- C. YOU SHALL NOT BE ENTITLED TO ANY PROCEEDS OF SALE OF ANY OF THE PETITIONERS' ASSETS; AND**
- D. YOU SHALL NOT BE ENTITLED TO PARTICIPATE AS A CREDITOR IN THE CCAA PROCEEDINGS OF THE PETITIONERS.**