

COURT FILE NUMBER

Clerk's Stamp

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

PLAINTIFF

**CANADIAN IMPERIAL BANK OF
COMMERCE**

DEFENDANT

**KORITE INTERNATIONAL LIMITED
PARTNERSHIP AND KORITE
INTERNATIONAL GP INC**

DOCUMENT

**RESTRICTIVE COURT ACCESS
ORDER**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION
OF PARTY FILING
THIS DOCUMENT

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File No. 500007/005947

DATE ON WHICH ORDER WAS PRONOUNCED:

September 5, 2024

NAME OF JUSTICE WHO MADE THIS ORDER:

Honourable Justice K.M. Horner

LOCATION OF HEARING:

Calgary, Alberta

UPON THE APPLICATION of Canadian Imperial Bank of Commerce (“**CIBC**”) in its capacity as secured creditor of Korite International Limited Partnership (“**Korite LP**”) and Korite International GP Inc. (together, the “**Debtors**”) for, *inter alia*, a temporary sealing order in respect of the confidential exhibits (the “**Confidential Exhibits**”) to the pre-filing report of KSV Restructuring Inc. dated August 26, 2024 (the “**Proposed Receiver’s Report**”) prepared in its capacity as the proposed court-appointed receiver of the assets, property and undertaking of the Debtors (in such capacity, the “**Receiver**”); **AND UPON HAVING READ** the Application, the Proposed Receiver’s Report, the Confidential Exhibits, and such other materials and evidence filed in the within proceedings; **AND UPON HAVING HEARD** the submissions of counsel for CIBC, counsel for the proposed Receiver, and any other interested parties present,

IT IS HEREBY ORDERED AND DECLARED THAT:

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given;
2. The Confidential Exhibits shall be sealed on the Court file, kept confidential, and shall not be available for public inspection until the earlier of (i) the filing of a Receiver's certificate confirming the conclusion of the sale transaction described in the Asset Purchase Agreement dated 23, 2024, between Korite LP and Buffalo Rock Mining Co. Ltd., (ii) the discharge of the Receiver, or (iii) further Order of this Court.
3. The Clerk of the Court shall file the Confidential Exhibits in a sealed envelope attached to a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS, BEING THE CONFIDENTIAL EXHIBITS TO THE PROPOSED RECEIVER'S REPORT DATED AUGUST 26, 2024. PURSUANT TO THE RESTRICTIVE COURT ACCESS ORDER ISSUED BY THE HONOURABLE JUSTICE K.M. HORNER ON SEPTEMBER 5, 2024, THE CLERK OF THE COURT SHALL NOT RELEASE THE SAID CONFIDENTIAL MATERIALS TO THE PUBLIC UNTIL THE EARLIER OF (I) THE FILING OF A RECEIVER'S CERTIFICATE CONFIRMING THE CONCLUSION OF THE SALE TRANSACTION DESCRIBED IN THE ASSET PURCHASE AGREEMENT DATED AUGUST 23, 2024, BETWEEN KORITE INTERNATIONAL LIMITED PARTNERSHIP AND BUFFALO ROCK MINING CO. LTD., (II) THE DISCHARGE OF KSV RESTRUCTURING INC. AS RECEIVER, OR (III) FURTHER ORDER OF THIS COURT.

4. The Receiver is empowered and authorized, but not required, to provide the Confidential Exhibits (or any portion thereof or information contained therein) to any interested party, entity or person that the Receiver considers reasonable in the circumstances, subject to confidentiality arrangements satisfactory to the Receiver.
5. Leave is hereby granted to any person affected by this Order to apply to this Honourable Court for a further order modifying or varying the terms of this Order, with such application to be brought on no less than 5 days' notice in accordance with the *Alberta Rules of Court*.

6. Service of this Order shall be deemed good and sufficient by serving same on the Service List maintained for this Action. No other persons are entitled to be served with a copy of this Order.

Karen Horner

Justice of the Court of King's Bench of Alberta