

B201-958977



COURT FILE NUMBER 25-2958977
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY MB
PROCEEDING IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF OGEN HOLDINGS LTD. AND OGEN LTD.

DOCUMENT **ORDER – Approval of Proposal Trustee’s Activities**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT MLT AIKINS LLP
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File: 0163189.001

DATE ON WHICH ORDER WAS PRONOUNCED: NOVEMBER 3, 2023
LOCATION WHERE ORDER WAS PRONOUNCED: EDMONTON, ALBERTA
NAME OF THE JUSTICE WHO MADE THIS ORDER: JUSTICE D.R. MAH

UPON THE APPLICATION of KSV Restructuring Inc. (“**KSV**”), in its capacity as the proposal trustee (the “**Proposal Trustee**”) (the “**Proposal Trustee**”) of OGEN Holdings Ltd. and OGEN Ltd. (collectively, the “**Companies**”) for an Order approving the Proposal Trustee’s activities and proposed method for payment of its fees; **AND UPON** having read the First Report of the Proposal Trustee dated July 12, 2023 (the “**July Report**”) and the Proposal Trustee’s Preliminary Report to the Creditors dated September 8, 2023 (the “**September Report**”) and together with the July Report, the “**Reports**”); **AND UPON** hearing from counsel for the Proposal Trustee and any other interested person; **AND UPON** being satisfied that it is appropriate to do so, **IT IS ORDERED THAT:**

Service

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.

Proposal Trustee's Activities

2. The Proposal Trustee's activities, as set out in the Reports, are hereby ratified and approved.
3. On the evidence before the Court, the Proposal Trustee has satisfied its obligations under and pursuant to the terms of the Orders granted in the within proceedings up to and including the date hereof respecting the Companies' Notice of Intention to Make a Proposal (the "**NOI Proceedings**"), and the Proposal Trustee shall not be liable for any act or omission on its part including, without limitation, any act or omission pertaining to the discharge of its duties in the within NOI Proceedings, save and except for any liability arising out of any fraud, gross negligence or willful misconduct on the part of the Proposal Trustee, or with leave of the Court. Subject to the foregoing, any claims against the Proposal Trustee in connection with the performance of its duties respecting the NOI Proceedings are hereby stayed, extinguished and forever barred.
4. No action or other proceedings shall be commenced against the Proposal Trustee in any way arising from or related to its capacity or conduct as Proposal Trustee in the NOI Proceedings, except with prior leave of this Court on Notice to the Proposal Trustee, and upon such terms as this Court may direct.

5. This Order shall be served on all parties on the Service List and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.



The Honourable Justice D.R. Mah
Justice of the Court of King's Bench of Alberta