



Court File No.: CV-23-00011162-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**THE HONOURABLE**

)

**FRIDAY, THE 28<sup>th</sup>**

)

**JUSTICE CORNELL**

)

**DAY OF JULY, 2023**

BETWEEN:

**ELLIOT LAKE AND NORTH SHORE CORPORATION FOR BUSINESS  
DEVELOPMENT and EAST ALGOMA COMMUNITY FUTURES  
DEVELOPMENT CORPORATION/ALGOMA EST SOCIETE D'AIDE AU  
DEVELOPPEMENT DES COLLECTIVITES**

Applicants

and

**ALMENARA EN EL RIO INC.**

Respondent

**ORDER  
(Distribution and Ancillary)**

**THIS MOTION** made by BDO Canada Limited ("**BDO**"), in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of Almenara En El Rio Inc. ("**Almenara**") for the relief set out in the Notice of Motion dated July 24, 2023, including the approval of the proposed distributions set out in the First Report of the Receiver dated July 24, 2023 (the "**Receiver's Report**") was heard this day by videoconference.

**ON READING** the Motion Record of the Receiver and the First Report of the Receiver dated July 24, 2023 (the "**Receiver's Report**"), the Confidential Supplement to the Receiver's Report dated July 24, 2023, the Affidavit of Dominique Michaud sworn July 24, 2023 (the "**Robins Fee Affidavit**"), the Affidavit of Ian Klaiman sworn July 20, 2023 (the "**LZW Fee Affidavit**") and the Affidavit of Gary Cerrato sworn July 20, 2023 (the "**BDO Fee Affidavit**"),

and the Supplementary Motion Record dated July 27, 2023 (“**Supplementary Record**”), and on hearing the submissions of counsel for the Receiver and any such other counsel or individual as were present, no one appearing for any other person on the service list, although properly served as evidenced by the Affidavit of Rachel Cheung sworn July 27, 2023, filed.

### **Service**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion, the Motion Record, Supplementary Motion Record, and Factum is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service hereof.

### **Approval of Activities**

2. **THIS COURT ORDERS** that the activities of the Receiver as described in the Receiver’s Report are hereby approved.

### **Distributions**

3. **THIS COURT ORDERS** that the Receiver is hereby authorized to make distributions in accordance with paragraphs 46-50 of the Receiver’s Report.

### **Approval of Receiver’s Fees And Expenses**

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as described in the Receiver’s Report, the BDO Fee Affidavit, the Robins Fee Affidavit and the LZW Fee Affidavit are hereby approved.

**Sealing**

5. **THIS COURT ORDERS** that the Confidential Supplement to the Receiver's Report dated July 24, 2023, and the appendices thereto are hereby sealed until the earlier of:

- (a) the closing of the Transaction; or
- (b) upon further order of the Court.

**ENTERED AT SADBURY**  
This 28 day  
Of July 2023  
**Court No: 7712**  
BY:



**ELLIOT LAKE AND NORTH - and-  
SHORE CORPORATION  
FOR BUSINESS  
DEVELOPMENT et al.**

**ALMENARA EN EL RIO INC.**

*Applicants*

*Respondent*

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**PROCEEDING COMMENCED AT SUDBURY**

**ORDER  
(Distribution and Ancillary)**

**ROBINS APPLEBY LLP**

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