

2019

Supreme Court of Nova Scotia

SUPREME COURT
OF NOVA SCOTIA

APR 08 2019

HALIFAX, N.S.

Hfx No. 484742

IN THE MATTER OF:

Application by Quadriga Fintech Solutions Corp, Whiteside Capital Corporation and 0984750 B.C. Ltd dba Quadriga CX and Quadriga Coin Exchange for relief under the *Companies' Creditors Arrangement Act*

Order (Initial Fee Cap Amendment)

BEFORE THE HONOURABLE JUSTICE MICHAEL J. WOOD IN CHAMBERS

WHEREAS on January 5, 2019, the Court issued its Order (the "**Initial Order**"), among other things, granting the Applicants protection from their creditors under the *Companies' Creditors Arrangement Act* (the "**CCAA**") and appointing Ernst & Young Inc. as Monitor of the Applicants (in such capacity, the "**Monitor**");

AND WHEREAS on February 28, 2019, the Court issued its Order (the "**Representative Counsel Appointment Order**") appointing Miller Thomson LLP and Cox & Palmer (together, "**Representative Counsel**") as Representative Counsel to the users affected by the shutdown of the Quadriga CX cryptocurrency exchange platform (the "**Affected Users**");

AND WHEREAS the Representative Counsel Appointment Order provided for an initial fee cap in the amount of \$250,000, plus taxes and disbursements (the "**Initial Fee Cap**");

AND WHEREAS the Monitor seeks an Order, among other things, terminating these CCAA proceedings effective as at the time (the "**CCAA Termination Time**") the Monitor files a discharge certificate;

AND UPON MOTION by Representative Counsel for an Order increasing the Initial Fee Cap;

AND UPON READING the Affidavit of Asim Iqbal sworn April 2, 2019 and the Fourth Report of the Monitor dated April 1, 2019;

AND UPON HEARING the submissions of Representative Counsel and counsel for the Monitor and such other individuals who appeared and were heard on the Motion;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. If necessary, the service of the Notice of Motion and supporting documents are hereby abridged and service is hereby deemed adequate notice so that the Motion is properly returnable today and further service thereof is hereby dispensed with.
2. The Initial Fee Cap is set at up to \$400,000 (plus taxes and disbursements) and the Representative Counsel Appointment Order is hereby amended accordingly.

3. This Order and all of its provisions are effective as of 12:01 a.m. Atlantic Standard Time on 8 day of April, 2019.

ISSUED this 8 day of April, 2019


Deputy Prothonotary

AMANDA HAWBOLDT
Deputy Prothonotary