

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MR.
JUSTICE MCEWEN

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FRIDAY, THE 29TH
DAY OF MAY, 2020

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,
R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
GREEN GROWTH BRANDS INC., GGB CANADA INC., GREEN GROWTH BRANDS
REALTY LTD. AND XANTHIC BIOPHARMA LIMITED

Applicants



ORDER

(Re Extending Stay of Proceedings)

THIS MOTION, made by the Applicants, pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "CCAA"), for an order extending the Stay Period (as defined below) proceeded on this day by way of video-conference due to the COVID-19 crisis.

ON READING the affidavit of Raymond C. Whitaker III sworn May 26, 2020 (the "Whitaker Comeback Affidavit"), and the Exhibits thereto, and the First Report of the Monitor dated May 26, 2020 (the "First Report"), filed, and on hearing the submissions of counsel for the Applicants, counsel for Ernst & Young Inc., in its capacity as the Court-appointed Monitor (the "Monitor"), and counsel for those other parties appearing as indicated on the counsel slip,

EXTENSION OF STAY PERIOD

1. THIS COURT ORDERS that the stay period as referred to in the Initial Order of Justice McEwen dated May 20, 2020 (the "Stay Period") is extended until June 12, 2020 in respect of the Applicants.

SEALING

2. **THIS COURT ORDERS** that any portion of the Court file containing information pertaining to the purchase price in the Florida Letter of Intent, as that term is defined in the affidavit of Raymond C. Whitaker III sworn on May 26, 2020, shall be sealed and not form part of the public record, but rather shall be placed, separate and apart from all other contents of the Court file, in a sealed envelope attached to a notice that sets out the title of these proceedings and a statement that the contents are subject to a sealing order and shall only be opened upon further Order of the Court.

3. **THIS COURT ORDERS** that the unredacted Responding and Cross-Motion Record of Michael D. Horvitz dated May 29, 2020 and the unredacted Factum of the Respondent (and Moving Party by Cross-Motion), Michael D. Horvitz as Grantor and Trustee for the Michael D. Horvitz Revocable Trust dated May 28, 2020 are hereby sealed and shall not form part of the public record until further order of the Court.

GENERAL

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Applicants, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicants and the Monitor and their respective agents in carrying out the terms of this Order.

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IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF GREEN GROWTH BRANDS INC., GGB CANADA INC., GREEN GROWTH BRANDS REALTY LTD. AND XANTHIC BIOPHARMA LIMITED

Court File No.: CV-20-00641220-00CL

ONTARIO

SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceeding commenced at Toronto

ORDER

(Extending Stay of Proceedings and Sealing)

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