

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR.

)

FRIDAY, THE 15<sup>th</sup>

JUSTICE KOEHNEN

)

DAY OF JANUARY, 2021

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**IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*,  
R.S.C. 1985, c. B-36, AS AMENDED**

**AND IN THE MATTER OF THE BANKRUPTCY OF  
GRANT FOREST PRODUCTS SALES INC.**

**Applicants**

**ORDER**

**(Re Approval of Fees and Activities and Ancillary Relief)**

**THIS MOTION**, made by Ernst & Young Inc., in its capacity as the Court-appointed Trustee in Bankruptcy (the "**Trustee**") of Grant Forest Products Sales Inc. for an order approving (i) the Preliminary Report of the Trustee dated December 14, 2015 (the "**Preliminary Report**"), the Second Report of the Trustee dated June 26, 2017 (the "**Second Report**"), the Third Report of the Trustee dated January 8, 2021 (the "**Third Report**"), and the activities of the Trustee described in each of the reports; (ii) the fees and disbursements of the Trustee and its counsel as described in the Third Report, and (iii) certain relief ancillary to the completion of these proceedings proceeded on this day by videoconference due to the COVID-19 crisis.

**ON READING** the Third Report, the affidavit of Daniel S. Murdoch sworn January 7, 2021 and the affidavit of Alexander Morrison sworn January 7, 2021 (together, the "**Fee Affidavits**") and

on hearing the submissions of counsel to the Trustee, no one appearing for any other person on the Service List, although duly served as appears from the affidavit of service of Sanja Sopic , filed:

**SERVICE**

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

**APPROVAL OF FEES AND ACTIVITIES**

2. **THIS COURT ORDERS** that the Preliminary Report, the Second Report and the Third Report and the activities of the Trustee set out in First Report, the Second Report and the Third Report are approved, provided, however, that only the Trustee, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or use in any way such approval.

3. **THIS COURT ORDERS** that the fees and disbursements of the Trustee for the period March 12, 2016 to the date of the Trustee's discharge, inclusive, totaling \$34,523.10 (including applicable taxes), (ii) the fees and disbursements of the Trustee's counsel, Stikeman Elliott LLP, for the period from March 12, 2020 to the date of the Trustee's discharge, inclusive, totaling of \$3,962.46 (including applicable taxes), be and are hereby approved.

**APPROVAL OF FINAL STATEMENT OF RECEIPTS AND DISBURSEMENTS**

4. **THIS COURT ORDERS** that the Trustee's Final Statement of Receipts and Disbursements in the within proceedings dated January 8, 2021, a copy of which is attached as Appendix "E" to the Third Report, is hereby approved.

**EXEMPTION FROM MAILING OF NOTICE**

5. **THIS COURT ORDERS** that the Trustee is hereby relieved of any obligation to send the notice contemplated by section 152(5) of the *Bankruptcy and Insolvency Act*.

**TRUSTEE'S RELEASE**

6. **THIS COURT ORDERS AND DECLARES** that Ernst & Young Inc. is hereby released from any and all liability that Ernst & Young Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of Ernst & Young Inc. while acting in its capacity as Trustee herein, save and except for any gross negligence or willful misconduct on the Trustee's part. Without limiting the generality of the foregoing, Ernst & Young Inc. is hereby forever released from any and all liability relating to matters that were raised, or which could have been raised, in the within bankruptcy proceedings, save and except for any gross negligence or willful misconduct on the Trustee's part.

**GENERAL**

7. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States, or elsewhere 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 requested to make such orders and to provide such assistance to the Applicants and the Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Applicants, the Trustee and their respective agents in carrying out the terms of this Order.

8. **THIS COURT ORDERS** that this Order and all of its provisions are effective from the date it is made without the need for entry and filing.

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DJJ

IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*,  
R.S.C. 1985, c. B-36, AS AMENDED

Court File No. 31-2062814

AND IN THE MATTER OF THE BANKRUPTCY OF GRANT FOREST PRODUCTS SALES INC.

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**ORDER  
(RE APPROVAL OF FEES AND ACTIVITIES AND  
ANCILLARY RELIEF)  
(RETURNABLE JANUARY 15, 2021)**

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**Lawyers for the Trustee,  
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