

**ONTARIO**

**SUPERIOR COURT OF JUSTICE**

**COMMERCIAL LIST**

THE HONOURABLE MADAM                    )    THURSDAY, THE 22ND  
JUSTICE GILMORE                            )    DAY OF APRIL, 2021  
  )

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

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
LAURENTIAN UNIVERSITY OF SUDBURY

Applicant

**CONSENT ORDER**  
**(Motion by AFO)**

**THIS MOTION** brought by the Assemblée de la francophonie de l'Ontario (the "**AFO**"), initially returnable on 8 April 2021 and subsequently scheduled to be heard in French and in English before the Honourable Justice Gilmore on 26 April 2021 (the "**Motion**");

**ON READING** the Consent filed, the Notice of Motion, the affidavits of Serge Dupuis sworn March 3, 2021, Pierre Riopel sworn March 31, 2021, Rémi Léger sworn March 18, 2021, Aurélie Lacassagne sworn March 29, 2021, Thierry Bissonnette sworn March 29, 2021, Denis Chartrand sworn March 30, 2021, and Charlotte Servant-L'Heureux sworn March 30, 2021, Denis Hurtubise sworn March 29, 2021, and Carol Jolin sworn March 31, 2021 and the Exhibits thereto filed by the AFO in support of the Motion (the "**Affidavits**");

**AND UPON** being advised that: (i) prior to the delivery of responding materials by the Applicant in this CCAA proceeding Laurentian University of Sudbury (“**Laurentian**”) the parties agreed to partially resolve the Motion on the terms set out in this Order; (ii) Ernst & Young Inc. in its capacity as the Court-appointed monitor (the “**Monitor**”) supports the partial resolution of the Motion on the terms set out in this Order; (iii) the DIP Lender (as such term is defined in the Amended and Restated Initial Order dated February 11, 2021) supports the partial resolution of the Motion on the terms set out in this Order; and (iv) for the avoidance of any doubt, Laurentian does not accept or admit the contents of the Affidavits.

1. **THIS COURT ORDERS** that Laurentian and the AFO agree to engage in meaningful consultations and information-sharing (subject to an appropriate confidentiality agreement) commencing May 1, 2021 regarding: (i) any proposals made by the AFO, in accordance with the objectives of the *Companies’ Creditors Arrangement Act*, RSC 1985, c C-36 (as amended); and (ii) any restructuring or financial sustainability initiatives that may impact the status or use of the French language at Laurentian (the “**Consultations**”).

2. **THIS COURT ORDERS** that the Monitor shall be entitled to participate in all Consultations.

3. **THIS COURT ORDERS** that the parties may, at their discretion, utilize the Mediator appointed pursuant to and in accordance with the Order appointing Mediator dated February 5, 2021.

4. **THIS COURT ORDERS** that Consultations undertaken pursuant to this Order shall be subject to the provisions of all Orders made in this CCAA proceeding, including with respect to any terms of confidentiality for information provided by Laurentian.

5. **THIS COURT ORDERS** that the Monitor shall advise the Court on the reasonableness and fairness of any proposed restructuring plan and plan of arrangement, and its report shall include an assessment of Laurentian's proposed restructuring plan compared with any alternative restructuring plan presented by the AFO, including their relative impact on the rate of recovery of creditor claims.

6. **THIS COURT ORDERS** that any aspect of the relief sought in the Motion that is not expressly dealt with in this consent Order may only be brought forward on a schedule agreed to by the AFO and Laurentian with notice to the Service List, or as established by the supervising judge at a case conference to be scheduled by the parties on notice to the Service List.



IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
RSC 1985, c C-36, AS AMENDED AND IN THE MATTER OF A PLAN OF  
COMPROMISE OR ARRANGEMENT OF **LAURENTIAN UNIVERSITY OF  
SUDBURY**

Court File No.: CV-21-656040-00CL

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

Proceeding commenced at Toronto

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**CONSENT ORDER  
(AFO MOTION)**

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