

No. S-205095
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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

– AND –

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,
S.B.C. 2002, C. 57, AS AMENDED

– AND –

IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF
PORT CAPITAL DEVELOPMENT (EV) INC. and EVERGREEN HOUSE DEVELOPMENT
LIMITED PARTNERSHIP

SEALING ORDER

BEFORE THE HONOURABLE)
MADAM JUSTICE FITZPATRICK) 16/April/2021

THE APPLICATION of the Petitioners coming on for hearing at Vancouver, British Columbia, by MS Teams, on the 16th day of April 2021; AND ON HEARING David Gruber, counsel for the Petitioners and those other counsel and parties listed on **Schedule "A"** hereto; AND UPON READING the material filed, including the fifth Report of Ernst & Young, Inc. in its capacity as court appointed monitor (the "**Monitor**"), to be filed ("**Fifth Report**"), and the Confidential Supplement to the Fifth Report; AND pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36, the British Columbia Supreme Court Civil Rules and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS THAT:

1. Access to Sealed Items permitted by

[] Counsel of Record
[] Parties of Record
[] Further Court Order
[X] **Others:** Counsel for
the Petitioners and
counsel for the
Monitor

Items to be sealed

Document Name	Date filed (Date on Court Stamp)	Number of copies filed, including any extra copies for the judge	Duration of sealing order (to specific date or until further order)	Sought	Granted	
					YES	NO
1) Entire File				☐	☐	☐
2) Specific Documents Confidential Supplement to the Fifth Report of the Monitor	To be filed	One copy, to be sealed.	Until further order.	☒	☒	☐
3) Clerk's Notes				☐	☐	☐
4) Order				☐	☐	☐
5) Reasons for Judgment				☐	☐	☐

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GENERAL

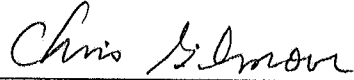
2. Endorsement of this Order by counsel appearing on this application other than counsel for the Petitioners is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of David Gruber
Lawyer for the Petitioners

BY THE COURT



REGISTRAR

Schedule "A"

(List of Counsel)

Counsel name/litigant	Party represented
Colin D. Brousson	CMLS Financial Ltd. and Desjardins Financial Security Life Assurance Company
William Roberts	Aviva Insurance Company of Canada
Peter Rubin	The Monitor, Ernst & Young, Inc.
Peter Reardon	David McKenzie
Jordan Schultz	Macario Reyes

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