FORM 35 (RULES 8-4(1), 13-1(3) AND 17-1(2))

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

ORDER MADE AFTER APPLICATION

BEFORE	)	THE HONOURABLE JUSTICE	)	22~~13~~/JUL/2022
	)	FITZPATRICK	)	
	)		)	

ON THE APPLICATION of Domain Mortgage Corp. ("**Domain**") coming on for hearing at Vancouver, British Columbia on 13/JUL/2022 and on hearing Scott H. Stephens, counsel for Domain, and those other counsel and parties listed on **Schedule "A"** hereto;

THIS COURT ORDERS AND DECLARES that:

1. The proceedings (the "**CCAA Proceedings**") of Port Capital Development (EV) Inc. and Evergreen House Development Limited Partnership (collectively, the "**Debtors**") commenced pursuant to the order of this Court granted on May 29, 2020 (as amended from time to time, the "**Initial Order**") shall be and hereby are terminated, without further order of this Court.

2. Effective immediately, Ernst & Young Inc. ("**EY**") shall be and hereby is discharged as Monitor (as defined in the Initial Order), and, except for the completion of such matters as may be required to fulfill any outstanding statutory, court-ordered, or other such duties, EY shall have no further duties, obligations, or responsibilities as Monitor of the Debtors.

3. Notwithstanding the discharge of EY as Monitor of the Debtors and the termination of these CCAA Proceedings, this Court shall remain seized of any matter arising from the CCAA Proceedings, and EY is hereby authorized from and after the date of this order to apply to this Court to address matters ancillary or incidental to the CCAA Proceedings, notwithstanding the termination thereof, and in particular, without limiting any orders that EY may apply for, EY has leave to seek orders on notice to those persons on the Service List (as defined in the Initial Order):

   (a) approving the activities and conduct of the Monitor;

   (b) approving the fees and disbursements of the Monitor and the Monitor's legal counsel incurred in connection with the CCAA Proceedings;

   (c) releasing and discharging the Monitor and its respective affiliates and officers, directors, partners, employees, and agents (collectively, the "**Released Parties**") from any and all claims that any person may have or be entitled to assert against the Released Parties, whether known or unknown, matured or unmatured, foreseen or unforeseen, existing or hereafter arising, based in whole or in part on any act or omission, transaction, dealing or other occurrence existing or taking place on or prior to the date of the Monitor's discharge in any way relating to, arising out of, or in respect of these CCAA Proceedings, or with respect to the conduct of these CCAA Proceedings, save and except for any liability resulting from gross negligence or willful misconduct of any of the Released Parties; and

   (d) that no action or other proceedings shall be commenced against any of the Released Parties in any way arising from or related to these CCAA Proceedings, except with prior leave of this Court on at least (7) days' prior written notice to the Released Parties.

4. Notwithstanding any provision of this Order, the Monitor is authorized to take such steps and actions as it deems necessary to address any matters ancillary or incidental to its capacity as Monitor, and, for greater certainty, in completing or addressing any such

ancillary or incidental matters, the Monitor shall continue to have the benefit of the provisions of the CCAA and provisions of all orders made in the CCAA Proceedings in relation to its appointment and activities as the Monitor, including all approvals, protections, and stays of proceedings in favour of EY in its capacity as the Monitor.

5. Notwithstanding this Order and the Order granted by this Court on July 13, 2022 in Supreme Court of British Columbia Action No. S-225423 (the "**Receivership Proceedings**") appointing the Bowra Group Inc. as receiver of all the assets, undertakings, and property of the Debtors, including all proceeds, the Monitor and counsel to the Monitor shall continue to be entitled to the benefit of the Administration Charge (as defined in the Initial Order).

6. Notwithstanding any provision of this Order, nothing herein shall affect, vary, derogate from, limit, or amend any protections in favour of the Monitor at law or pursuant to the CCAA, the Initial Order, or any other order of this Court in these CCAA Proceedings.

7. Endorsement of this order by counsel appearing on this application other than counsel for Domain 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 lawyer for Domain Mortgage Corp.,
Scott H. Stephens

By the Court.

____
Registrar

SCHEDULE "A"

Counsel/Person Appearing	**Party Represented**
William Roberts	Aviva Insurance Company of Canada
Peter Rubin/Peter Bychawski	Ernst & Young Inc.
David Gruber	Port Capital Development (EV) Inc. and Evergreen House Development Limited Partnership
Alison Pienaar	Jing Chen

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Attention: Scott H. Stephens
File No. 37943-0002