



Court File No. CV-11-9532-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE

)

WEDNESDAY THE 21st DAY

JUSTICE CONWAY

)

OF SEPTEMBER, 2021

)

**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 Crystallex International Corporation

**CRYSTALLEX INTERNATIONAL CORPORATION**

Applicant

**ORDER**

**THIS MOTION**, made by the Applicant proceeded by way of judicial videoconference at Toronto, Ontario.

**ON HEARING** the submissions of counsel for the Applicant, counsel for the Monitor, counsel for Tenor Special Situation Fund I, LP, in its capacity as the debtor-in-possession lender of the Applicant (the "**DIP Lender**"), and counsel for Computershare Trust Company of Canada in its capacity as Trustee (the "**Trustee**") for the holders of Senior 9.375% Notes due December 23, 2011 issued by the Applicant (the "**Senior Notes**") and the *ad hoc* committee of beneficial owners of the Senior Notes (as specified on Schedule "A" hereto):

1. **THIS COURT ORDERS** that the Stay Period (as defined in the Initial Order of the Honourable Justice Newbould made December 23, 2011) be and is hereby extended to and including December 13, 2022 (the "**Stay Extension**").

#### **TOLLING**

2. **THIS COURT ORDERS** that by agreement of the Applicant, the Trustee and the DIP Lender, the tolling of limitation periods provided for in paragraph 26 of the Stay Extension and Standstill Order of this Court dated June 5, 2013 (the "**Standstill Order**") shall continue until the date that is thirty (30) days following the expiration of the Stay Extension, provided that any limitation period applicable to a Claim (as defined in the Standstill Order) released pursuant to paragraph 29 of the Standstill Order shall not be tolled.

#### **GENERAL**

3. **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, including the United States Bankruptcy Court for the District of Delaware (the "**Bankruptcy Court**"), to give effect to this Order and to assist the Applicant, 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 orders and to provide such assistance to the Applicant 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 Applicant in any foreign proceeding, or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.

4. **THIS COURT ORDERS** that each of the Applicant and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, including the Bankruptcy Court, for the recognition of this Order and for assistance in carrying out the terms of this Order.

5. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. (Toronto time) on the date hereof.



## **SCHEDULE "A"**

### **BENEFICIAL OWNERS OF SENIOR NOTES PART OF AD HOC COMMITTEE**

1. QVT Fund LP
2. Quintessence Fund LP
3. Greywolf Loan Participation LLC
4. Ravensource Fund
5. Stornoway Recovery Fund LP

Corporation

t of Crystallex International

Court File No./N° du dossier du greffe : CV-11-00009532-00CL

**Crystallex International Corporation**

Applicant

Commercial List File No: CV-11-9532-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Commercial List)**

Proceeding commenced at Toronto

**ORDER**

**DAVIES WARD PHILLIPS & VINEBERG LLP**  
155 Wellington Street West  
Toronto, ON M5V 3J7

Robin B. Schwill (LSO #38452I)  
Tel: 416.863.5502  
rschwill@dwpv.com

Natalie Renner (LSO #55954A)  
Tel: 416-367-7489  
nrenner@dwpv.com

Fax: 416.863.0871

Lawyers for the Applicant