

NO. S-217202
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE BANK OF NOVA SCOTIA

PETITIONER

AND:

COMMUNITY MARINE CONCEPTS LTD., VICTORIA INTERNATIONAL
MARINA LTD., ETERNALAND YUHENG INVESTMENT HOLDING LTD. AND
0736657 B.C. LTD.

RESPONDENTS

ORDER MADE AFTER APPLICATION

BEFORE) JUSTICE GROVES) 22/APR/2022
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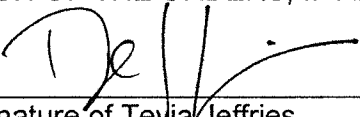
ON THE APPLICATION of Alvarez & Marsal Canada Inc., in its capacity as court appointed Receiver of the Respondents (the "**Receiver**"); AND ON HEARING Tevia Jeffries, counsel for the Receiver and those other counsel listed on Schedule "A", appearing by MS TEAMS; AND UPON READING the Receiver's First Report to the Court dated April 11, 2022 (the "**Report**"), the Affidavit of John Sandrelli sworn April 11, 2022 (the "**Dentons Affidavit**"), the Affidavit of Aurora Faulkner Killam sworn April 12, 2022 (the "**Cox Taylor Affidavit**"), and the Affidavit of Todd Martin sworn April 13, 2022 (collectively with the Dentons Affidavit and the Cox Taylor Affidavit, the "**Fee Affidavits**");

THIS COURT ORDERS AND DECLARES THAT:

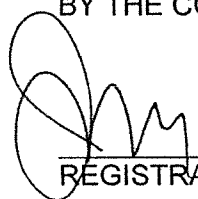
1. The activities of the Receiver, as set out in the Report, are hereby approved; provided however, that the Receiver in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.
2. The fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, are hereby approved.

3. The distributions of funds held by the Receiver as described in the Report (the "**Distributions**") in respect of the Priority Obligations (as defined in the Report), including but not limited to the repayment to the Petitioner of funds borrowed by the Receiver from the Petitioner from time to time pursuant to the Receivership Order (as defined in the Report), are approved and the Receiver is authorized and directed to make such Distributions.
4. The Receiver is hereby authorized to retain the funds remaining in the Receiver's trust account after payment of the Distributions (the "**Holdback**") for the following purposes:
 - (a) to pay any fees and disbursements of the Receiver and its counsel that have been approved by order of this Court but not yet paid; and
 - (b) to pay claims or liabilities attributable to the assets, undertakings and property of the Debtors where payment is sought from the Receiver or the Petitioner.
5. If any Holdback remains six months after the Receiver is discharged, the Receiver shall pay any remaining Holdback to the Respondents, unless otherwise ordered by this Court.
6. Endorsement of this Order, other than by counsel for the Receiver, 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 Tevia Jeffries
Lawyer for Alvarez & Marsal Canada Inc.

BY THE COURT


REGISTRAR



Schedule A

LIST OF COUNSEL APPEARING

Name of Counsel:	Representing:

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[APPROVAL OF FEES AND ACTIVITIES]

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Attention: Tevia Jeffries

File No. 529227-22