

No. S245481
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 *COOPERATIVE ASSOCIATION ACT*, S.B.C. 1999, c. 28

AND

IN THE MATTER OF BC TREE FRUITS COOPERATIVE, BC TREE FRUITS INDUSTRIES
LIMITED and GROWERS SUPPLY COMPANY LIMITED

PETITIONERS

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE)
JUSTICE GROPPER) April 28, 2025
)

ON THE APPLICATION OF the voting members of the BC Tree Fruits Cooperative (the "**Members**") coming on for hearing at Vancouver, British Columbia, on the 28th day of April, 2025; AND ON HEARING Mary Buttery, K.C., counsel for the Members, and those other counsel listed on **Schedule "A"** hereto, and no one else appearing although duly served, AND UPON READING the material filed; AND PURSUANT TO the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36, as amended (the "**CCAA**"), the *British Columbia Supreme Court Civil Rules*, and the inherent jurisdiction of this Court;

THIS COURT ORDERS AND DECLARES THAT:

1. Paragraph 9 of the Order Made After Application (Representation Order) granted in these proceedings on August 26, 2024, is hereby amended, removing the \$100,000 maximum on amounts the Petitioners are authorized to pay for the reasonable fees and disbursements of the Members' representative legal counsel, Osler, Hoskin & Harcourt LLP, ("**Representative Counsel**"). Instead, the maximum amount of such payments to Representative Counsel shall be limited only by the reasonable discretion of the court-appointed monitor, Alvarez & Marsal Canada Inc., in consultation with the Petitioners.

2. Endorsement of this Order by counsel appearing on this application other than counsel for the Members 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:

Christian
Garton

For:



Signature of Mary Buttery, K.C.
Lawyer for the Members



BY THE COURT



REGISTRAR



Schedule "A"

LIST OF COUNSEL

Counsel Name/Litigant	Party Represented
Mary Buttery, K.C. Christian Garton	The Members
Kibben Jackson Heidi Esslinger Heidi Esslinger	The Monitor
RAASHI AHLUWALIA	UFCW, LOCAL 247
Scott Silver Howard Gorman (remotely)	The Petitioners
Annecy Pang	Mangal Capital Inc.
Aaron Welch	His Majesty the King in Right of the Province of British Columbia