



No. S236214
Vancouver Registry

In the Supreme Court of British Columbia

BETWEEN:

1392752 B.C. LTD

PETITIONER

AND:

SKEENA SAWMILLS LTD.
SKEENA BIOENERGY LTD.
ROC HOLDINGS LTD

RESPONDENTS

APPLICATION RESPONSE

Application Response of: The Trustees of the IWA – Forest Industry Pension Plan and the Trustees of the IWA – Forest Industry LTD Plan (the “Application Respondents”)

This is a Response to: the Notice of Application of Alvarez & Marsal Canada Inc. (the “Receiver”), as receiver Skeena Sawmills Ltd., filed February 29, 2024 (the “Vesting Order Application”).

This Application Respondents agree with the Applicant’s time estimate.

Part 1: ORDERS CONSENTED TO

That part of the Order sought which contemplates payment of the IWA Claim in the amount of \$83,743.91.

Part 2: ORDERS OPPOSED

NONE.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

All except as set out in Part 1.

Part 4: FACTUAL BASIS

1. The Application Respondents adopt the facts as set out in the Receiver's Vesting Order Application.

Part 5: LEGAL BASIS

2. The Application Respondents agree with the Receiver that the IWA Claim is a valid, enforceable claim ranking in priority to all other charges against the Property, including the Receiver's Charge and the Receiver's Borrowing Charge, whether by virtue of the Pension and LTD Trust Agreements which are binding on Skeena Sawmills, the *Pension Benefits Standards Act*, SBC 2012, c 30, or section 81.6(1) of the *Bankruptcy and Insolvency Act*, [RSC 1985], c. B-3, or any or all of them.

Part 6: MATERIAL TO BE RELIED ON

1. The pleadings, affidavits, and other court documents filed herein.

The Application Respondents have filed in this proceeding a document that contains the Application Respondents' address for service.

Date: 06 / March / 2024

Signature of Lawyer for the Application Respondent
The Trustees of the IWA – Forest Industry Pension Plan and
the Trustees of the IWA – Forest Industry LTD Plan

Turner & Co
Per: Scott A. Turner