



No. S-2010103
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 *CANADA BUSINESS CORPORATIONS ACT*, R.S.C. 1985, c. C-44
AND THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57

AND

IN THE MATTER OF SUNNIVA INC., SUNNIVA MEDICAL INC., 11111035 CANADA INC.
AND 1167025 B.C. LTD

PETITIONERS

ORDER MADE AFTER APPLICATION
(STAY EXTENSION ORDER)

BEFORE THE HONOURABLE)	
)	November 27, 2020
MADAM JUSTICE FITZPATRICK)	

ON THE APPLICATION of the Petitioners coming on for hearing by telephone at Vancouver, British Columbia, on the 27th day of November, 2020; AND ON HEARING Lisa Hiebert, counsel for the Petitioners, and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the material filed, including the Third Affidavit of Anthony F. Holler, sworn on November 25, 2020, and the Second Report of the Monitor, filed on November 26, 2020; AND PURSUANT TO the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 as amended, the British Columbia Supreme Court Rules and the inherent jurisdiction of this Honourable Court (the "**Court**");

THIS COURT ORDERS AND DECLARES THAT:

1. The time for service of the Notice of Application and supporting materials be and is hereby abridged such that this application is properly returnable today and service thereof upon any interested party other than the parties on the service list maintained by the Monitor in this proceeding is hereby dispensed with.

2. The relief provided for in the Amended and Restated Initial Order, made in these proceedings on October 19, 2020, be and is hereby confirmed, and the Stay Period and all other relief as provided for therein is hereby extended to December 11, 2020; provided that the Petitioners shall:
 - (a) serve all materials in connection with any application to the Court to extend the Stay Period beyond December 11, 2020 by no later than 12:00PM (Vancouver time) on December 9, 2020;
 - (b) pay to the Monitor the amount of CA \$1,300,000, to be held in trust by the Monitor pending further direction from the Court.
3. Matrix Venture Capital Management, Inc. shall be at liberty to set down an application to the Court to adjudge the Petitioners as bankrupt persons under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, such application to be heard concurrently with any application by the Petitioners to extend the Stay Period.
4. The Petitioners be and are hereby authorized, but not directed, to advance US \$23,000 to Sun CA Holdings, Inc. ("Sun CA") and/or CP, Logistics LLC ("CPL") for the purposes of funding US payroll obligations between November 27, 2020 and December 11, 2020, provided that Sun CA, CPL and the Petitioners first enter into agreement for CPL to repay any such amounts upon receipt of funds from the State of California in respect of a tax refund or credit return or on demand.
5. Endorsement of this Order by counsel appearing on this application, other than counsel for the Petitioners, 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 Lisa Hiebert
☐ Party ☒ Lawyer for the Petitioners

BY THE COURT

REGISTRAR

Schedule "A"

LIST OF COUNSEL

Name of Counsel	Party Represented
Lisa Hiebert Ryan Laity	The Petitioners, Sunniva Inc., Sunniva Medical Inc., 11111035 Canada Inc., and 1167025 B.C. Ltd
Lance Williams	The Monitor, Alvarez & Marsal Canada Inc.
Heather Jones	PTI Transformers Inc.
William E.J. Skelly	Matrix Venture Capital Management, Inc.

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BORDEN LADNER GERVAIS LLP
1200 Waterfront Centre
200 Burrard Street
P.O. Box 48600
Vancouver, BC V7X 1T2
Telephone: (604) 632-3425
Attn: Lisa Hiebert
Email: lhiebert@blg.com
File: 560348/000017