

2025 01G 0889

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF the *Companies
Creditors Arrangement Act*, R.S.C. 1985,
c. C-36, as amended (the "**CCAA**")

AND IN THE MATTER OF an application of
Innovative Capital Investments Inc. and
Dominion Trading Limited

ORDER

UPON IT APPEARING THAT the Monitor, Grant Thornton Limited, has applied for an order to approve the Monitor and its counsel's activities and fees, and to terminate the CCAA proceedings, and for other relief, pursuant to the CCAA;

AND UPON READING the materials filed by the Monitor;

AND UPON HEARING the submissions of Joe Thorne, counsel for the Monitor; Josh Santimaw, counsel for the Bank of Montreal; and such other counsel as may appear;

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Application and the Application Record is hereby abridged and validated so that this application is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF REPORTS, ACTIVITIES, FEES, AND DISBURSEMENTS

2. **THIS COURT ORDERS** that the activities and fees of the Monitor and its counsel are approved as set out in the Monitor's Tenth Report, dated July 20, 2026, including the estimated fees and disbursements up to the CCAA Termination Time (defined below).


Filed JULY 28, 2026 

TERMINATION OF CCAA PROCEEDINGS

3. **THIS COURT ORDERS** that upon service by the Monitor of an executed certificate substantially in the form attached hereto as **Schedule A** (the "**Termination Certificate**") on the service list in these CCAA Proceedings certifying that, to the knowledge of the Monitor, all matters to be attended to in connection with the CCAA Proceedings have been completed, these CCAA Proceedings shall be terminated without any further act or formality (the "**CCAA Termination Time**"), save and except as provided in this Order, and provided that nothing herein impacts the validity of any Orders made in these CCAA Proceedings or any action or steps taken by any person pursuant thereto.
4. **THIS COURT ORDERS** that the Monitor is hereby directed to file a copy of the Termination Certificate with the Court as soon as is practicable following service thereof on the service list in these CCAA proceedings.
5. **THIS COURT ORDERS** that the Administration Charge granted in these CCAA proceedings, shall be terminated, released and discharged as of the CCAA Termination Time without any further act or formality.

DISCHARGE OF THE MONITOR

6. **THIS COURT ORDERS** that effective as at the CCAA Termination Time, Grant Thornton shall be discharged from its duties as the Monitor, and shall have no further duties, obligations or responsibilities as Monitor from and after the CCAA Termination Time, provided that, notwithstanding its discharge as Monitor, Grant Thornton shall have the authority to carry out, complete or address any matters in its role as Monitor that are ancillary or incidental to these CCAA proceedings following the CCAA Termination Time, as may be required.



7. **THIS COURT ORDERS** that, notwithstanding any provision of this Order, the Monitor's discharge or the termination of these CCAA proceedings, nothing herein shall affect, vary, derogate from, limit or amend, and Grant Thornton shall continue to have the benefit of, all of the rights, approvals, releases and protections in favour of the Monitor at law or pursuant to the CCAA, the ARIO, or any other Order of this Court in these CCAA proceedings or otherwise, all of which are expressly continued and confirmed following the CCAA Termination Time, including in connection with any other actions taken by the Monitor following the CCAA Termination Time with respect to the Applicant or these CCAA proceedings.

RELEASE OF MONITOR

8. **THIS COURT ORDERS** that effective as at the CCAA Termination Time, the Monitor and its affiliates, officers, directors, employees, legal counsel, and agents (collectively, the "**Monitor Released Parties**" and each a "**Monitor Released Party**") shall be and are hereby forever released and discharged from any and all claims that any person may have or be entitled to assert against any of the Monitor Released Parties, whether known or unknown, matured or unmatured, foreseen or unforeseen, existing or hereafter arising, based in whole or in part on any act or omission, transaction, dealing or other occurrence in any way relating to, arising out of, or in respect of, these CCAA proceedings or with respect to their respective conduct in these CCAA proceedings (collectively, the "**Monitor Released Claims**"), and any such Monitor Released Claims are hereby irrevocably and forever released, stayed, extinguished and forever barred, and the Monitor Released Parties shall have no liability in respect thereof, provided that the Monitor Released Claims shall not include any claim or liability that is finally determined by a court of competent jurisdiction to have constituted gross negligence or wilful misconduct on the part of the applicable Monitor Released Party.



9. **THIS COURT ORDERS** that no action or other proceeding shall be commenced against any of the Monitor Released Parties in any way arising from or related to the CCAA proceedings except with prior leave of this Court on not less than fifteen (15) days prior written notice to the applicable Monitor Released Party or Monitor Released Parties and upon further Order securing, as security for costs, the full indemnity costs of the applicable Monitor Released Party in connection with any proposed action or proceeding as the Court hearing the motion for leave to proceed may deem just and appropriate.

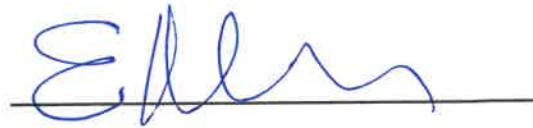
RESIDUAL MATTERS

10. **THIS COURT ORDERS** that the Applicants and the Monitor shall be authorized to apply as they may consider necessary or desirable, with or without notice, to any other court or administrative body, whether in Canada, the United States or elsewhere, for orders which aid and complement this Order. All courts and administrative bodies of all such jurisdictions are hereby respectfully requested to make such orders and to provide such assistance to the Applicant and the Monitor as may be deemed necessary or appropriate for that purpose.
11. **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, 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 such 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 Monitor in any foreign proceeding, or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.



12. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. Newfoundland Time on the date hereof.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 27th day of May, 2026.

A handwritten signature in blue ink, appearing to be 'E. Allen', written over a horizontal line.

COURT
OFFICER

A handwritten mark or signature in blue ink, possibly a checkmark or a stylized 'v', located in the bottom right corner of the page.

SCHEDULE "A"

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Dominion Trading Limited

**MONITOR'S CERTIFICATE
(TERMINATION OF CCAA PROCEEDINGS)**

RECITALS

1. Pursuant to an initial order of the Supreme Court of Newfoundland and Labrador, dated February 11, 2025 (the "**Initial Order**"), as amended, restated and supplemented from time to time including without limitation by an Amended and Restated Initial Order, dated February 24, 2025, the Applicants were granted protection pursuant to the *Companies' Creditors Arrangement Act*, RSC, 1985, c C-36 as amended (the "**CCAA**") and Grant Thornton Limited ("**GTL**") was appointed as monitor of the Applicants pursuant to the CCAA (in such capacity, the "**Monitor**").
2. Pursuant to an Order of the Court, dated January 27, 2026 (the "**Receivership Order**"), Ernst & Young was appointed Receiver for the Applicants upon the motion of the Bank of Montreal, with respect to all of the assets, undertakings, and properties of the Applicants, save and except for the Proposed Transaction (as defined in the Receivership Order).
3. Pursuant to an Order of the Court dated July , 2026 (the "**CCAA Termination Order**"), the Court ordered, among other things, that GTL shall be discharged as the Monitor and the CCAA Proceedings shall be terminated upon the service of this Monitor's Termination



Certificate on the service list, all in accordance with the terms of the CCAA Termination Order.

4. Unless otherwise indicated herein, capitalized terms used in this Monitor's Certificate shall have the meaning given to them in the CCAA Termination Order.

THE MONITOR CERTIFIES the following:

5. to the knowledge of the Monitor, all matters necessary to complete the CCAA Proceedings have been completed, in particular the Proposed Transaction.

ACCORDINGLY, the CCAA Termination Time will occur upon service of the Termination Certificate by the Monitor on the service list in these CCAA proceedings.

DATED at St. John's, in the Province of Newfoundland and Labrador, this day of , 2026.

GRANT THORNTON LTD., solely in its capacity
as the Court-appointed Monitor of the Applicant,
and not in its personal capacity or in any other
capacity

Per: _____
Phil Clarke
Licenced Insolvency Trustee



