

SUPREME COURT OF NOVA SCOTIA

IN THE MATTER OF the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, as amended
AND IN THE MATTER OF an application by Mernova Medicinal Inc. and Creso Canada Limited
for relief under section 11 of the CCAA and other relief

WEPPA DECLARATION ORDER

Before the Honourable Justice Bodurtha in chambers:

WHEREAS Creso Canada Limited and Mernova Medicinal Inc. (collectively, the "**Applicants**") applied for relief under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 as amended (the "**CCAA**") including an Initial Order, which was granted by Justice Bodurtha on April 16, 2025, amended and restated by an Amended and Restated Initial Order granted April 25, 2025, which, among other things, appointed Grant Thornton Limited as CCAA Monitor (the "**Monitor**");

AND UPON the motion of the Applicants for an Order (among other things) declaring that the Applicants and their collective former employees meet the criteria prescribed by section 3.2 of the *Wage Earner Protection Program Regulations*, SOR/2008-222

AND UPON reading the Third Report of the Monitor filed with the Court in advance of this Motion, the Fourth Affidavit of Micheline MacKay (the "**Fourth Affidavit**"), an unsworn copy filed with the Motion Materials with a sworn copy to follow, and the other materials filed herein;

AND UPON HEARING from counsel for the Applicants and such other counsel who were present and wished to be heard;

The following parties received notice of this Application: see attached **Schedule “B”**.

The following parties, represented by the following counsel, made submissions:

Party

Creso Canada Limited

1300 - 1969 Upper Water Street
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Mernova Medicinal Inc.

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- and -

Cox & Palmer

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Monitor, **Grant Thornton Limited**

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Liam Murphy

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Sara Scott

Tel: 902-420-3363
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On motion of the Applicants, the following is ordered and declared:

SERVICE

1. The service of the notice of motion, and the supporting documents, as set out in the affidavit of service is hereby deemed adequate notice so that the motion is properly returnable today and further service thereof is hereby dispensed with.

DEFINED TERMS

2. Capitalized terms used in this Order and not otherwise defined herein shall have the meanings ascribed to them in the Fourth Affidavit.

WAGE EARNER PROTECTION PROGRAM ACT

3. Pursuant to section 5(5) of the *Wage Earner Protection Program Act* (Canada), SC 2005, c 47, s 1 ("**WEPPA**"), the Applicants and their collective former employees meet the criteria prescribed by section 3.2 of the Wage Earner Protection Program Regulations, SOR/2008-222 and are individuals to whom the WEPPA applies as of the date of this Order.

GENERAL

4. Service of this Order shall be deemed good and sufficient by:

(a) Serving the same on:

- (i) the persons listed on the service list created in these proceedings;
- (ii) any other person served with notice of the application for this Order;
- (iii) any other parties attending or represented at the application for this Order;
- (iv) Canada's Island Garden Inc. or its solicitors.

and service on any other person is hereby dispensed with.

5. Service of this Order may be effected by facsimile, electronic mail, personal delivery, or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

6. This Order and all of its provisions are effective as of 12:01 a.m. (Atlantic Standard Time) on the 5th day of August, 2025.

Issued August 5, 2025

Prothonotary