



**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 A PLAN OF COMPROMISE AND ARRANGEMENT OF CANADIAN  
DEHUA INTERNATIONAL MINES GROUP INC.

PETITIONER

**NOTICE OF APPLICATION**

**Name of applicant:** the Petitioner

To: the Service List (attached hereto as **Schedule "A"**)

TAKE NOTICE that an application will be made by the applicant to the Honourable Mr. Justice Walker via MS Teams at the courthouse at 800 Smithe Street, Vancouver, BC, V6Z 2E1 on August 30, 2024, at 10:00 a.m. for the orders set out in Part 1 below.

The applicant estimates that the application will take 1 hour.

This matter is not within the jurisdiction of an Associate Judge. Justice Walker is seized of this matter.

**Part 1: ORDER(S) SOUGHT**

1. An Order substantially in the form attached hereto as **Schedule "B"**, which provides the following additional relief:
  - (a) an extension of the stay of proceedings (the "**Stay of Proceedings**") granted in the Sixth Amended and Restated Initial Order up to and including September 13, 2024 or until an alternative date Justice Walker is available.
2. Such other relief as this Honourable Court may deem just.

**Part 2: FACTUAL BASIS**

1. Pursuant to an order (the "**Initial Order**"), as amended and restated from time to time, of the Supreme Court of British Columbia (the "**Court**") made on June 3, 2022, Canadian Dehua International Mines Group Inc. ("**CDI**" or the "**Petitioner**") were granted protection

under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**"), and FTI Consulting Canada Inc. was appointed monitor (and in such capacity, the "**Monitor**").

2. On July 4, 2024, the Stay of Proceedings in the CCAA were extended by this Honourable Court to August 9, 2024.
3. Notwithstanding the continued good faith efforts of CDI under the SISF and generally to raise capital and sell its assets, the only offer received to date is uneconomic and without significant changes to such offer, the offer cannot proceed on its terms.
4. Qubo Liu, in her capacity as interim lender (the "**Interim Lender**"), through her counsel, has provided CDI and the Monitor with an offer for the shares of Wapiti Coking Coal Mines Corporation and Canadian Bullmoose Mines (together, the "**Assets**").
5. A short stay extension would allow for further negotiation on the offer for the Assets between the Interim Lender and CDI.
6. The Monitor has expressed support for a short further extension of the Stay of Proceedings to be sought by CDI.

### **Part 3: LEGAL BASIS**

1. The Petitioner relies on:
  - (a) the CCAA;
  - (b) *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the "**BIA**");
  - (c) *Supreme Court Civil Rules*, in particular Rules 8-1, 13-1, and 22-4;
  - (d) the inherent and equitable jurisdiction of this Court; and
  - (e) such further and other legal bases and authorities as counsel may advise and this Court may permit.

### **Extension of the Stay of Proceedings is Appropriate**

2. Subsection 11.02(2) of the CCAA provides that the Petitioner may apply for an extension of the Stay of Proceedings for a period that a court considers necessary on any terms that a court may impose. Subsection 11.02(3) of the CCAA provides that the Court shall not make the order extending the Stay of Proceedings unless:
  - (a) the applicant satisfies the Court that circumstances exist that make the order appropriate; and

- (b) in the case of an order under subsection (2), the applicant also satisfies the Court that the applicant has acted, and is acting, in good faith and with due diligence.

CCAA s. 11.02.

- 3. Extending the relief granted by the Initial Order, as amended and restated, including the Stay of Proceedings, is appropriate and necessary to enable all the Petitioner's stakeholders to investigate and consider the alternatives and options available to them in this matter.
- 4. The Petitioner submits that, in these circumstances, it is necessary and appropriate that the Stay of Proceedings be extended to September 13, 2024, or any alternative date which the Court sees fit.

**Part 4: MATERIAL TO BE RELIED ON**

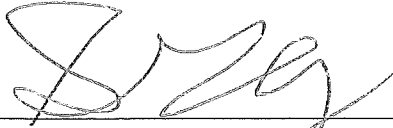
- 1. Sixteenth Report of the Monitor, to be filed; and
- 2. Any such further materials as counsel advises and this Honourable Court permits.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- (a) file an application response in Form 33;
- (b) file the original of every affidavit, and of every other document, that
  - (i) you intend to refer to at the hearing of this application, and
  - (ii) has not already been filed in the proceeding; and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
  - (i) a copy of the filed application response;
  - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;

- (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7(9).

August 28, 2024  
Dated

  
Signature of  lawyer for filing party  
DLA Piper (Canada) LLP (Jeffrey D. Bradshaw)  
Lawyer for the Petitioner

**To be completed by the court only:**

Order made

in the terms requested in paragraphs \_\_\_\_\_ of Part 1 of this notice of application

with the following variations and additional terms:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Signature of  Judge  Master

**APPENDIX**

*The following information is provided for data collection purposes only and is of no legal effect.*

**THIS APPLICATION INVOLVES THE FOLLOWING:**

- discovery: comply with demand for documents
- discovery: production of additional documents
- oral matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts
- none of the above

**Schedule "A"**

(Service List)

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PETITIONER

**Service List**

**(Last Updated: June 14, 2024)**

<p>DLA Piper (Canada) LLP Suite 2800, Park Place 666 Burrard St. V6C 2Z7 Vancouver, BC</p> <p><b>Attention: Colin D. Brousson and Jeffrey D. Bradshaw</b></p> <p>Email: <a href="mailto:colin.brousson@dlapiper.com">colin.brousson@dlapiper.com</a> <a href="mailto:jeffrey.bradshaw@dlapiper.com">jeffrey.bradshaw@dlapiper.com</a> <a href="mailto:dannis.yang@dlapiper.com">dannis.yang@dlapiper.com</a></p> <p>Telephone: 604.643.6400 604.643.2941</p> <p><i>Counsel for the Petitioner</i></p>	<p>FTI Consulting Canada Inc. Suite 1450, P.O. Box 10089 701 West Georgia St. Vancouver, BC V7Y 1B6</p> <p><b>Attention: Craig Munro and Hailey Liu</b></p> <p>Email: <a href="mailto:Craig.Munro@fticonsulting.com">Craig.Munro@fticonsulting.com</a> <a href="mailto:Hailey.Liu@fticonsulting.com">Hailey.Liu@fticonsulting.com</a></p> <p>Telephone: 604.757.6108 403.454.6040</p> <p><i>Monitor</i></p>
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<p>Bennett Jones LLP 666 Burrard Street, Suite 2500 Vancouver, BC V6C 2X8</p> <p><b>Attention: David E. Gruber and Mia Laity</b></p> <p>Email: <a href="mailto:gruberd@bennettjones.com">gruberd@bennettjones.com</a> <a href="mailto:laitym@bennettjones.com">laitym@bennettjones.com</a> <a href="mailto:morenoe@bennettjones.com">morenoe@bennettjones.com</a></p> <p>Telephone: 604.891.5150</p> <p><i>Counsel for the Monitor</i></p>	<p>Dentons 250 Howe St. 20<sup>th</sup> Floor Vancouver, BC V6C 3R8</p> <p><b>Attention: Jordan Schultz and Eamonn Watson</b></p> <p>Email: <a href="mailto:jordan.schultz@dentons.com">jordan.schultz@dentons.com</a> <a href="mailto:eamonn.watson@dentons.com">eamonn.watson@dentons.com</a> <a href="mailto:avic.arenas@dentons.com">avic.arenas@dentons.com</a> <a href="mailto:chelsea.denton@dentons.com">chelsea.denton@dentons.com</a></p> <p>Telephone: 604.691.6452 604.629.4997</p> <p><i>Counsel for China Shougang International Trade &amp; Engineer Corporation</i></p>
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<p>Lawson Lundell LLP Suite 1600 Cathedral Place 925 W Georgia St. Vancouver, BC V6C 3L2</p> <p><b>Attention: William L. Roberts</b></p> <p>Email: <a href="mailto:wroberts@lawsonlundell.com">wroberts@lawsonlundell.com</a></p> <p>Telephone: 604.631.9163</p> <p><i>Counsel for Accurate Court Bailiff Services Ltd.</i></p>	<p>McMillan LLP 550 Burrard Street, Suite 2900 Vancouver, BC V6C 0A3</p> <p><b>Attention: Bernhard Zinkhofer</b></p> <p>Email: <a href="mailto:Bernhard.Zinkhofer@mcmillan.ca">Bernhard.Zinkhofer@mcmillan.ca</a></p> <p>Telephone: 604.689.9111 604.685.7084</p> <p><i>Counsel for HBIS Group International Holding Co., Limited</i></p>



<p>BLG 1200 Waterfront Centre, 200 Burrard St., P.O. Box 48600, Vancouver, BC, Canada V7X 1T2</p> <p><b>Attention: Ryan Laity and Jennifer Pepper</b></p> <p>Email: <a href="mailto:RLaity@blg.com">RLaity@blg.com</a> <a href="mailto:JPepper@blg.com">JPepper@blg.com</a> <a href="mailto:C:\NRPortbl\WSLegal\MORENOE\MXin@blg.com">C:\NRPortbl\WSLegal\MORENOE\MXin@blg.com</a></p> <p>Telephone: 604.632.3544</p> <p><i>Counsel for Huiyong Holdings (BC) Ltd.</i></p>	<p>Weiheng Law 16th Floor, Tower A, China Technology Trading Building No. 66 North Fourth Ring West Road, Haidian District, Beijing</p> <p><b>Attention: Wei Heng</b></p> <p>Email: <a href="mailto:weiheng@weihenglaw.com">weiheng@weihenglaw.com</a></p> <p>Telephone: +86-10-62684688</p> <p><i>Counsel for Feicheng Mining Co., Ltd</i></p>
<p>McMillan LLP Royal Centre, 1055 W. Georgia Street, Suite 1500 PO Box 11117 Vancouver, BC, Canada V6E 4N7</p> <p><b>Attention: Daniel Shouldice</b></p> <p>Email: <a href="mailto:Daniel.Shouldice@mcmillan.ca">Daniel.Shouldice@mcmillan.ca</a></p> <p>Telephone: 604.691.6858</p> <p><i>Counsel for HD Mining International Ltd.</i></p>	<p>Fasken Martineau DuMoulin LLP 550 Burrard Street, Suite 2900 Vancouver, BC V6C 0A3</p> <p><b>Attention: Fergus McDonnell and Johanna Fipke</b></p> <p>Email: <a href="mailto:fmcdonnell@fasken.com">fmcdonnell@fasken.com</a> <a href="mailto:jfipke@fasken.com">jfipke@fasken.com</a></p> <p>Telephone: 604.631.3220</p> <p><i>Counsel for Staray Capital Limited</i></p>
<p>Bullmoose Mining Ltd 3577 West 34Th Ave Vancouver BC, V6N 2K7</p>	<p>Canada Revenue Agency C/O N.Sindu (462-11) 9755 King George Blvd. Surrey, BC, V3T 5E6</p>
<p>CIBC – CEBA 400 Burrard Street Vancouver, BC V6C 3M5</p>	<p>Canadian Dehua Lvliang International Mines Corp. 310-1155 Pender St. West Vancouver, BC V6E 2P4</p>

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**Schedule "B"**

(Draft Order)

IN THE SUPREME COURT OF BRITISH COLUMBIA

THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,

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AND

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PETITIONER

ORDER MADE AFTER APPLICATION

	)		)
	)		)
BEFORE	)	THE HONOURABLE JUSTICE WALKER	)
	)		)
	)		)
	)		)
	)		)
	)		)

August 30, 2024

ON THE APPLICATION of the Petitioner coming on for hearing via MS Teams at 800 Smithe Street, Vancouver, BC V6Z 2E1 on August 30, 2024, and on hearing Jeffrey D. Bradshaw, counsel for the Petitioner and those other counsel listed on Schedule "A" hereto; AND UPON READING the material filed herein; AND UPON BEING ADVISED that the creditors and others who are likely to be affected by the charges created herein were given notice; 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 Honourable Court; and further to the Initial Order pronounced by this Court on June 3, 2022 (the "**Order Date**") as revised, amended and restated from time to time including pursuant to the Amended and Restated Initial Order pronounced by this Court on June 9, 2022 (the "**ARIO**"), as amended from time to time; including the Sixth Amended and Restated Initial Order pronounced by this Court on September 11, 2023 (the "**Sixth ARIO**");

THIS COURT ORDERS that:

1. Any capitalized terms not herein defined shall have the meaning as set out in the Sixth ARIO.
2. The stay of proceedings set out in paragraph 15 of the Sixth ARIO granted by the Honourable Justice Walker is hereby extended up to and including September 13, 2024.
3. This Order and all of its provisions are effective as of 12:01 a.m. local Vancouver time on the Order Date.
4. Endorsement of this Order by counsel appearing on this application 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:

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Signature of  lawyer for the Petitioner  
DLA Piper (Canada) LLP (Jeffrey D. Bradshaw)

BY THE COURT

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REGISTRAR

SCHEDULE "A"

NAME OF COUNSEL	PARTY REPRESENTING

No. S-224444  
Vancouver Registry

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**ORDER MADE AFTER APPLICATION**

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File No.: 080762-00014

CDB/day

No. S-224444  
Vancouver Registry

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**NOTICE OF APPLICATION**

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File No.: 080762-00014

CDB/day