



Court File No.: CV-13-10279-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

THE HONOURABLE ) TUESDAY, THE 13TH  
)  
JUSTICE PENNY ) DAY OF DECEMBER, 2022

IN THE MATTER OF THE *COMPANIES' CREDITORS  
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PROPOSED PLAN  
OF COMPROMISE OR ARRANGEMENT WITH RESPECT TO  
GROWTHWORKS CANADIAN FUND LTD.

**STAY EXTENSION ORDER**

**THIS MOTION**, made by GrowthWorks Canadian Fund Ltd. (the “**Applicant**” or the “**Fund**”) for a distribution, termination and discharge order (which includes an order extending the stay period defined in paragraph 14 of the initial order made October 1, 2013, as amended and restated on October 29, 2013 (the “**Stay Period**”), and approving an extension to the Amended and Restated Investment Advisor Agreement between Crimson Capital Inc. (“**Crimson Capital**”) and the Fund (the “**Second Amended and Restated IAA**”), was heard this day by way of judicial video conference via Zoom in Toronto, Ontario.

**ON READING** the Motion Record of the Fund, including the Notice of Motion and the affidavit of C. Ian Ross sworn on December 2, 2022 (the “**Ross Affidavit**”), the Thirtieth Report of FTI Consulting Canada Inc., in its capacity as monitor of the Applicant (the “**Monitor**”), and on hearing the submissions of counsel for the Applicant, counsel for the Monitor, and counsel for GrowthWorks WV Management Ltd., no one else appearing although properly served as appears from the affidavit of service, filed:

## **ADJOURNMENT**

1. **THIS COURT ORDERS** that the Fund's motion for a distribution, termination and discharge order is adjourned to January 19, 2023 at 10:30 am by judicial video conference via Zoom.

## **STAY EXTENSION**

2. **THIS COURT ORDERS** that the Stay Period is hereby extended until and including January 20, 2023.

## **EXTENSION OF SECOND AMENDED AND RESTATED IAA**

3. **THIS COURT ORDERS** that the Applicant is authorized to execute and deliver an amending agreement extending the Term of the Second Amended and Restated IAA to January 20, 2023 (the "**Extended Term**") and that such extension is hereby approved (as each term is defined in the Second Amended and Restated IAA).

4. **THIS COURT ORDERS** that the Applicant is authorized to continue to perform its obligations under the Second Amended and Restated IAA during the Extended Term.

5. **THIS COURT ORDERS** that paragraphs 4 to 7 of the Stay Extension Order of the Honourable Mr. Justice Hainey made March 22, 2019 shall continue to apply during the Extended Term.

## **GENERAL**

6. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada, outside Canada and against all persons against whom it may be enforceable.

7. **THIS COURT ORDERS** that this Order is effective from the date that it is made, and is enforceable without any need for entry and filing.

8. **THIS COURT ORDERS AND REQUESTS** the aid and recognition of any court of any judicial, regulatory or administrative body in any province or territory of Canada (including the assistance of any court in Canada) and any judicial, regulatory or administrative tribunal or other

court constituted pursuant to the Parliament of Canada or the legislature of any province and any court or any judicial, regulatory or administrative body of the United States of America, and of any other nation or state, to act in aid of and to be complementary to this Court in carrying out the terms of this Order.

  
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C-50, AS AMENDED AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE  
OR ARRANGEMENT WITH RESPECT TO GROWTHWORKS CANADIAN FUND LTD.

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SUPERIOR COURT OF JUSTICE  
(Commercial List)**

Proceeding commenced at Toronto

**STAY EXTENSION ORDER**

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