

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

THE HONOURABLE MR.) TUESDAY, THE 29TH
)
JUSTICE DUNPHY) DAY OF JUNE, 2021

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 an order extending the stay period defined in paragraph 14 of the initial order of the Honourable Mr. Justice Newbould made October 1, 2013, as amended and restated on October 29, 2013 (the “**Stay Period**”), and for an order 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 due to the COVID-19 pandemic.

ON READING the Motion Record of the Fund, including the Notice of Motion and the affidavit of C. Ian Ross sworn on June 18, 2021, the Twenty-Seventh 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 and the Monitor, and such other counsel that were present as listed on the counsel slip, no one else appearing although properly served as appears from the affidavit of service, filed:

STAY EXTENSION

1. **THIS COURT ORDERS** that the Stay Period is hereby extended until and including March 31, 2022.

EXTENSION OF SECOND AMENDED AND RESTATED IAA

2. **THIS COURT ORDERS** that the Applicant is authorized to execute and deliver an Extension Notice extending the Term of the Second Amended and Restated IAA to March 31, 2022 (the “**Extended Term**”) and that such extension is hereby approved (as each term is defined in the Second Amended and Restated IAA).

3. **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.

4. **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.



S.F. Dunphy J.

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.

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

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding Commenced at Toronto

STAY EXTENSION ORDER

McCarthy Tétrault LLP
Suite 5300, TD Bank Tower
66 Wellington Street West
Toronto, ON M5K 1E6
Fax: 416-868-0673

Geoff R. Hall LSO#: 347100
Tel: 416-601-7856
E-mail: ghall@mccarthy.ca

Trevor Courtis LSO#: 67715A
Tel: 416-601-7643
E-mail: tcourtis@mccarthy.ca

Lawyers for the Applicant,
GrowthWorks Canadian Fund Ltd.