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COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

COM  
May 3, 2021  
Justice Ho

CCAA PARTIES

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 ARRANGEMENT OF  
LIGHTSTREAM RESOURCES LTD., 1863359 ALBERTA LTD., LTS  
RESOURCES PARTNERSHIP, 1863360 ALBERTA LTD. AND  
BAKKEN RESOURCES PARTNERSHIP

APPLICANTS

LIGHTSTREAM RESOURCES LTD., 1863359 ALBERTA LTD. AND  
1863360 ALBERTA LTD.

PARTIES IN INTEREST

LTS RESOURCES PARTNERSHIP LTD AND BAKKEN  
RESOURCES PARTNERSHIP

DOCUMENT

FOURTH REPORT OF FTI CONSULTING CANADA INC., IN ITS  
CAPACITY AS MONITOR

**April 26, 2021**

ADDRESS FOR SERVICE AND  
CONTACT INFORMATION OF  
PARTY FILING THIS  
DOCUMENT

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## INTRODUCTION

1. On September 26, 2016 Lightstream Resources Inc. (“**LTS**”), 1863359 Alberta Ltd. (“**1863359**”), and 1863360 Alberta Ltd. (“**1863360**”), Lightstream Resources Partnership (“**LTS Partnership**”) and Bakken Resources Partnership (“**Bakken Partnership**”) (collectively, the “**Applicants**”, or the “**Lightstream Group**”) sought and obtained protection under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the “**CCAA**”) pursuant to an order granted by this Honourable Court (the “**Initial Order**”).
2. The Initial Order granted, *inter alia*, a stay of proceedings against the Lightstream Group until and including October 26, 2016, (the “**Initial Stay Period**”) and appointed FTI Consulting Canada Inc. as Monitor (the “**Monitor**”). The proceedings commenced by the Applicants under the CCAA will be referred to herein as the “**CCAA Proceedings**”.
3. In addition to the stay of proceedings, the Initial Order granted various relief including, among other things:
  - (a) the Administration Charge;
  - (b) the Credit Card Charge
  - (c) the Directors’ Charge;
  - (d) the KERP and the KEIP Charge;
  - (e) the Financial Advisor Charge; and

- (f) approval of the Sale Procedures to solicit interest in the Lightstream Property (as such term is defined in the Sale Procedures).

(collectively, the “**Other Relief**”).

4. Mudrick Capital Management, LP (“**Mudrick**”), FrontFour Capital Corp. and FrontFour Group LLC. (collectively, the “**Front Four Group**”), in their capacity as unsecured noteholders and plaintiffs in an oppression action commenced in the Court of Queen’s Bench of Alberta raised certain objections to the Other Relief. As a result of the objections, a comeback hearing (the “**Comeback Hearing**”) was held on October 11, 2016. After hearing from various stakeholders, the Court re-affirmed the relief granted in the Initial Order, and no amendments were made to the Initial Order. Also, at the Comeback Hearing the Applicants were granted an extension to the stay of proceedings up to and including December 16, 2016.
5. On November 7, 2016, the Lightstream Group made an application to this Honourable Court seeking approval to commence a claims process (“**Claims Process**”) in order to determine, assess and categorize claims and/or potential claims against the Applicants including pre-filing claims, post filing restructuring claims, any priority claims, claims against its directors and officers or claims against the Directors Charge. The Court granted the proposed claims process order (“**Claims Process Order**”).
6. On December 8, 2016, the Lightstream Group sought and were granted three Orders:

- (a) An Order (“**Sale Approval Order**”) approving the sale contemplated by the asset purchase agreement (“**Purchase Agreement**”) dated November 29, 2016, between Lightstream Group and 1090247 B.C. Ltd., now known as Ridgeback Resources Ltd. (“**Buyer**”). The Purchase Agreement was effectively a credit bid from the holders of 9.875% secured second lien notes maturing on June 15, 2019, (“**Secured Noteholders**”) that contemplated bidding the Secured Noteholders debt, cash repayment of creditors in priority to the Secured Noteholders debt and assumption of the Lightstream Group’s operational trade creditors. The sale closed on December 29, 2016, as further described below;
- (b) An order (“**Transition Order**”) which increased the powers of the Monitor to manage the Lightstream Group’s post-closing matters including filing tax returns, coordinating the transfer of assets, and managing funds held back from the sale (Wind-down Funds and Reserve Funds, as defined below). The Transition Order was granted in light of the fact that upon closing the Purchase Agreement, Lightstream Group would no longer have any employees, officers or directors; and
- (c) An order (“**Stay Extension Order**”) extending the stay of proceedings to May 31, 2017.

## **PURPOSE**

- 7. The purpose of this fourth report of the Monitor (the “**Fourth Report**”) is to advise this Honourable Court and provide the Monitor’s summary and/or comments with respect to:
  - (a) activities of the Monitor, in connection with completing these CCAA Proceedings, since the Monitor’s third report dated November 30, 2016;
  - (b) Provide an update with respect to the Claims Process;

- (c) Provide an updated summary of receipts and disbursements compared to the budgeted amounts with respect to reserve payment funds (“**Reserve Funds**”) and the wind-down funds (“**Wind-down Funds**”) as held by the Monitor;
  - (d) Seek approval for the fees of the Monitor and its counsel (“**Monitor’s Counsel**”);  
and
  - (e) Request that the Monitor be discharged.
8. Further background and information regarding the Applicants and these CCAA Proceedings can be found on the Monitor’s website at <http://cfcanada.fticonsulting.com/lightstream/>.

#### **TERMS OF REFERENCE**

9. In preparing this Fourth Report, the Monitor has relied upon unaudited financial information of the Applicants, the Applicants’ books and records, certain financial information prepared by the Applicants and discussions with various parties, including senior management (“**Management**”) of the Applicants (collectively the “**Information**”) and the Sale Advisor.
10. The Monitor has not audited, reviewed or otherwise attempted to verify the accuracy or completeness of the Information in a manner that would comply with Generally Accepted Assurance Standards pursuant to the Chartered Professional Accountants of Canada Handbook.

11. The Monitor has not examined or reviewed financial forecasts and projections referred to in this report in a manner that would comply with the procedures described in the Chartered Professional Accountants of Canada Handbook. Future oriented financial information reported or relied on in preparing this report is based on Management's assumptions regarding future events and actual results may vary from forecast and such variations may be material.
12. The Monitor has prepared this Fourth Report in connection with its application scheduled for May 3, 2021. This report should not be relied on for other purposes.
13. Unless otherwise stated, all monetary amounts contained herein are expressed in Canadian dollars.

## **ACTIVITES OF THE APPLICANTS AND MONITOR**

### CONSULTATION AND MONITORING

14. Since the November 30, 2016, the Lightstream Group and/or the Monitor have completed the following:
  - (a) Closed the Purchase Agreement on December 29, 2016, and attended to various post-closing matters such as executing assignment documents, land registrations, notices to partners;
  - (b) Pursuant to the terms of and upon closing the Purchase Agreement, two holdback cash funds were paid to the Monitor from the Applicant's cash on hand as described below:
    - i. Reserve Payment Funds - \$1,924,442. The Reserve Payment Amount was established to ensure there were funds held back for potential priority claims ranking *pari passu* to the Secured Noteholders; and

- ii. Wind-down Funds - \$4,333,291. The Wind-Down Amount was established to ensure the Applicants had sufficient funds available to complete post-closing matters and the orderly wind-down of the Applicants estate.
- (c) Completed various corporate administrative tasks, as further described later in this Fourth Report, relating to the Lightstream Group’s tax accounts to allow recover certain tax losses; and
- (d) Responded to various creditor/stakeholder inquiries including various requests for the production of documents to be used by certain creditors in their actions against former directors of the Lightstream Group.

#### CORPORATE ADMINISTRATIVE TASKS

- 15. In completing the final administrative tasks and winding down the estates of the Lightstream Group, the Monitor became aware of two credit balances on LTS’ corporate tax accounts with the Canada Revenue Agency (the “**CRA**”).
- 16. The LTS corporate tax accounts with credit balances were:
  - (a) GST/HST account with a credit balance of \$10,533.66; and
  - (b) corporate income tax account with a credit balance of \$87,034.70.(collectively, the “**CRA Credits**”).
- 17. At the time the Monitor became aware of the CRA Credits, approximately three years had passed since the operations of the Lightstream Group had ceased following the closing of the Purchase Agreement. With no ongoing operations the entities of the Lightstream Group were deemed inactive, were struck from the Alberta corporate registries and no tax accounting had been completed since 2016.



18. Following discussions with the CRA, the Monitor was advised that LTS' corporate tax account was not in compliance due to unfilled annual tax returns and in order for the CRA Credits to be released all outstanding annual tax returns would need to be filed.
19. The Monitor completed the following tasks to bring LTS' corporate accounts back into compliance and recover the CRA Credits for the estate of the Applicants:
  - (a) Completed and submitted articles of revival with the Alberta registries to bring LTS back into active status; and
  - (b) Completed and filed nil annual tax returns for the tax years of 2016, 2017, 2018, 2019 and 2020.
20. Having completed the above tasks, the CRA issued credit payments to the Monitor for the CRA Credits in late February and early March 2021 in the amount of \$87,034.70 and \$10,533.66.
21. In the Monitor's view, following the closing of the Purchase Agreement, all operations being wound down and all tax returns filed and CRA Credits collected, all tasks related to the CCAA Proceedings have been completed and the CCAA Proceedings should be terminated.

## **CLAIMS PROCESS**

22. On November 7, 2016, the Applicants were granted approval to commence the Claims Process. Immediately after the granting of and pursuant to the terms of the Claims Process Order, the Monitor, in consultation with the Applicants, commenced the Claims Process. The following provides a summary of the Claims Process:

### NOTICE

23. On November 9, 2016, the Monitor mailed a Claims Package to:

- (a) each party that appeared on the service list or had requested a Claims Package; and
  - (b) all known Creditors, other than Employees, as evidenced by the books and records of the Applicants and the CCAA Parties at their respective last known addresses as recorded in the Applicants' and CCAA Parties' books and records.
24. The Monitor caused the Notice to Creditors to be published in two separate newspapers:
- (a) the Calgary Herald on November 8, 2016, and November 9, 2016; and
  - (b) the Globe and Mail (National Edition) on November 8, 2016, and November 9, 2016.
25. The Monitor also posted the Claims Package to its website.

RESULTS OF CLAIMS PROCESS

26. In total the Monitor received 123 claims for a total of \$1,458,769,584. The table below provides a summary of the claims filed:

|                            | Claims Received |                         | Monitor Response |                               |
|----------------------------|-----------------|-------------------------|------------------|-------------------------------|
|                            | <i>Number</i>   | <i>Dollar Value</i>     | <i>Accepted</i>  | <i>Notice of Disallowance</i> |
| First Lien Lender          | 1               | \$ 363,417,227          | 1                |                               |
| Secured Noteholders        | 1               | \$ 729,758,854          |                  | 1                             |
| Unsecured Noteholders      | 5               | \$ 354,081,488          | 5                |                               |
| Front Four Group Claim     | 3               | TBD                     |                  | 3                             |
| Trade Creditors            | 80              | \$ 8,898,602            | 3                | 77                            |
| Total Prefiling Claims     | 90              | \$ 1,456,156,171        | 9                | 81                            |
| Restructuring Period Claim | 26              | \$ 1,342,092            | 26               | 0                             |
| Director's Charge Claim    | 3               | \$ 10,705               | 0                | 3                             |
| Priority Claim             | 4               | \$ 1,260,616            | 2                | 2                             |
| <b>Total</b>               | <b>123</b>      | <b>\$ 1,458,769,584</b> | <b>37</b>        | <b>86</b>                     |

27. As described in the Claims Process Order, the Applicants invited any claims to be separated in the following four categories:

- (a) Prefiling Claims: any claim which in whole, or in part was based on facts that existed prior to the granting of the Initial Order;
- (b) Restructuring Period Claims: any claim which arose out of the restructuring, disclaimer, resiliation, termination or breach by one of the Applicants on or after the granting of the Initial Order of any contract, lease or other agreement, written or oral, resulting from action taken by one of more of the Applicants;
- (c) Director's Charge Claims: any claim against one of more of the Directors and/or Officers of the Applicants arising after the granting of the Initial Order in connection with these CCAA Proceedings; and

- (d) Priority Claims: any claim or portion thereof that ranks *pari passu* with, or senior in priority to, the Secured Noteholders.
28. The Monitor reviewed each claim received, and the general nature of the Monitor's responses to each category of claimant was as follows:
- (a) Prefiling Claims: the ninety (90) Prefiling Claims were separated into five categories:

- i. First lien lender: the claim was accepted and repaid in full upon closing of the Purchase Agreement;
- ii. Secured Noteholders: the Secured Noteholder claim was discharged by way of credit bid to satisfy the purchase consideration by the Buyer in the Purchase Agreement;
- iii. Unsecured noteholders: five (5) proof of claims were submitted by Wilmington Trust, National Association as indenture Trustee on behalf of the unsecured noteholders. The 5 proof of claims filed effectively asserted the same claim amount against each separate Applicant debtor. The Monitor accepted the unsecured noteholders Prefiling Claims as being valid. Although the unsecured claim was a valid and accepted claim there was not sufficient recoveries from sale of the LTS Group's assets for any distributions to be made with respect to the unsecured noteholders' Prefiling Claim. The unsecured noteholders received a nil return;
- iv. Front Four Group Claim: the Front Four Group submitted three (3) Prefiling Claims, one by each member of the group, with a secured priority against the LTS Group, as part of their oppression claim. The arguments for a secured oppression claim were heard by the Honourable Mr. Justice A.D. Macleod on November 15 and 16, 2016. Honourable Mr. Justice A.D. Macleod issued a decision on November 25, 2016, which concluded that they Front Four Group Claim does not constitute a secured priority claim against the LTS Group. Accordingly, the Monitor accepted the Front Four Claim as unsecured. There was not sufficient recoveries for any distributions to be made with respect to unsecured claims; and

- v. Trade Creditors – a total of eighty (80) Prefiling Claims were submitted by trade creditors. Of these claims three (3) were submitted by creditors whose claims against the LTS Group were excluded from the Purchase Agreement. The Monitor accepted these three claims as valid unsecured trade claims. There was not sufficient recoveries from sale of the LTS Group’s assets for any distributions to be made with respect to the accepted trade creditor claims. The remaining seventy-seven (77) trade creditor claims were either disallowed on the basis of no amounts being owed by the LTS Group or the claims having been assumed by the Buyer through the Purchase Agreement. All claimants with assumed claims were directed to contact the Buyer. No payments were made by the Monitor or the Applicants in respect of the Prefiling Claims.
- (b) Restructuring Period Claims: all Restructuring Period Claims which arose from the CCAA Proceedings were determined to be subordinated to the Secured Noteholders. The recoveries from the Purchase Agreement did not contemplate any recoveries for creditors subordinated to the Secured Noteholders and therefore, no payments were made in respect of the Restructuring Period Claims;
- (c) Director’s Charge Claims: the Monitor responded individually to each Director’s Charge Claims with a Notice of Disallowance on the basis the claim did not meet the requirements to be a valid claim against the directors and officers of the Applicants. The Monitor did receive any disputes to the Notices of Disallowance and therefore, no payments were made in respect of the Director’s Charge Claims; and
- (d) Priority Claims: of the four (4) priority claims received by the Monitor:

- i. the Monitor responded to two (2) claims with a Notice of Disallowance as the claims did not provided sufficient documentation to support their claim as being in priority to the Secured Noteholders. The Monitor did not receive any disputes to these Notices of Disallowance and therefore, no payments were made in respect of these two Priority Claims; and
- ii. two (2) claims were accepted as priority claims based on valid and enforceable builder’s liens being filed against the Applicants. As further described later in this Fourth Report, the valid claim amounts were paid by the Monitor from the Reserve Funds, as described later in this report.

29. In the Monitor’s view, no further work is required to adjudicate claims and the claims process has been fully administered.

**HOLDBACK FUNDS**

RESERVE FUND

30. Upon closing the Purchase Agreement as reserve fund was established to hold back funds for potential priority lien claims and taxes. These claims were in the process of being finalized upon closing the Purchase Agreement and accordingly estimated funds to settle the priority claims were by the Monitor pending final resolution.

31. The table below provides a summary the Reserve Funds initial budget versus actual amounts paid upon final resolution:

|  | Budgeted Amounts    | Expenses Paid by Monitor | Variance          |
|--|---------------------|--------------------------|-------------------|
| <i>Period of Dec 29, 2017 to Apr. 21, 2021</i> |                     |                          |                   |
| Builders Liens                                 |                     |                          |                   |
| Spearing Service LP                            | \$ 661,560          | \$ 591,611               | \$ 69,949         |
| Bonterra Energy Corp.                          | 62,882              | -                        | 62,882            |
| Accrued Unpaid Taxes                           | 1,200,000           | 842,809                  | 357,191           |
| Bank Fees/ (Interest)                          | -                   | (9,798)                  | 9,798             |
| <b>Total Reserve Fund</b>                      | <b>\$ 1,924,442</b> | <b>\$ 1,424,622</b>      | <b>\$ 499,820</b> |

32. The following provides a summary of the major budget to actual variances:
- (a) Builder’s Liens - budget included full amount of all known builder’s liens as at the time of closing, actual payments represent the settlement reached by the Company, creditor and the Monitor. All other builder’s liens have been determined to be invalid and have been discharged;
  - (b) Accrued Unpaid Taxes – budget included an estimated amount for unfiled business taxes including GST. Upon filing final returns the actual amounts due were less than originally estimated; and
  - (c) Bank Fees & Interest - includes bank fees and interest paid on balance in the Monitor’s trust account during the completion of the wind-down tasks.
33. On December 13, 2018, the Monitor determined no further payments would be required from the Reserve Funds and in accordance with paragraph 30 of the Sale Approval Order, distributed the remaining funds to the Buyer and closed the Reserve Funds account.

| <b>Final Summary of Reserve Fund</b> |                    |
|--------------------------------------|--------------------|
| <i>As at Apr. 21, 2021</i>           |                    |
| Reserve Fund                         | \$ 1,924,442       |
| Expenses Paid by Monitor             | (1,424,622)        |
| Funds Returned to Buyer              | <u>(499,820)</u>   |
| <b>Balance of Reserve Fund</b>       | <b><u>\$ -</u></b> |

WIND-DOWN FUND

34. Upon closing the Purchase Agreement a wind-down fund was established to hold back sufficient funds for the Monitor to complete all post-closing matters related to the Purchase Agreement and complete the administration of the estate.



35. The table below provides a summary the Wind-down Fund initial budget versus actual results:

|  | Initial Budget      | Expenses Paid<br>by Monitor | Variance            |
|--|---------------------|-----------------------------|---------------------|
| <i>Period of Dec 29, 2017 to Apr. 21, 2021</i> |                     |                             |                     |
| Accrued Unpaid CCAA Professional Fees          | \$ 600,000          | \$ 338,178                  | \$ 261,822          |
| Applicant's Counsel                            | 350,000             |                             | 350,000             |
| Monitor  | 350,000             | 243,957                     | 106,043             |
| Monitor's Counsel                              | 175,000             | 13,617                      | 161,383             |
| Rent   | 2,000,000           |                             | 2,000,000           |
| Director's Charge                              | 300,000             |                             | 300,000             |
| Tax Returns to Transfer Tax Pools              | 100,000             |                             | 100,000             |
| Corporation Capital Tax                        | 198,901             | 179,800                     | 19,101              |
| PST / Transfer Tax                             | 65,640              |                             | 65,640              |
| Contingency                                    | 193,750             | 2,077                       | 191,673             |
| Bank Fees/ (Interest)                          | -                   | (20,717)                    | 20,717              |
| CRA Credits                                    | -                   | (97,568)                    | 97,568              |
| <b>Total Wind-down Fund</b>                    | <b>\$ 4,333,291</b> | <b>\$ 659,344</b>           | <b>\$ 3,673,947</b> |

36. The following provides a summary of the major budget to actual variances:
- (a) Unpaid CCAA Professional Fees – budget included an estimate for all unpaid professionals for work completed prior to closing of the Purchase Agreement. Payments were made to the counsel for the Ad hoc Committee (Goodmans), as well as local counsel in Saskatchewan (MLT Aikens) aiding in asset transfers. Actual expenses were under budget by approximately \$106,000. All professional fees other than the accrued unbilled work to date for the Monitor and Monitor’s Counsel to complete the CCAA Proceedings have been paid;
  - (b) Applicants Counsel – budget included estimate from the Applicants counsel to aid in post-closing matters including the Claims Process. The scope of work required by the Applicants Counsel was less than anticipated and all fees were paid from their retainer posted prior to closing;
  - (c) Monitor – scope of work required by Monitor was less than anticipated;

- (d) Monitor's Counsel - work required by the Monitor to complete its mandate was less than anticipated;
  - (e) Rent – budget for rent included funds for two months' rent to be paid by the Monitor to avoid interruption of operations for the Buyer, however the Buyer was able to negotiate its own rent agreement prior to any rent being paid by the Monitor;
  - (f) Director's Charge – funds held in trust pursuant to paragraph 23 of the Initial Order, however, no claims was made in respect of these funds;
  - (g) Tax Returns – budget included an estimate for the completion of the Applicants tax returns, if required, to as part of the Buyers tax strategy post-closing;
  - (h) Contingency – budget assumed 5% contingency fund for unforeseen expenses, however there were minimal expenses which were unaccounted for in the initial budgeting;
  - (i) Bank Fees & Interest – includes bank fees and interest paid on the balance in the Wind-down Fund account, these amounts were not considered in the original budget; and
  - (j) CRA Credits – credits from LTS' corporate tax accounts as described earlier in this Fourth Report.
37. During the completion of the CCAA Proceedings, the Monitor reviewed the budgeted expenses in the Wind-down Funds account and pursuant to paragraph 27 of the Sale Approval Order the Monitor distributed \$3.57 million in two installments to the Buyer following the determination that there would be excess funds as a result of some budget expenses not being incurred.

### Final Summary of Wind-down Fund

As at Apr. 21, 2021

|  |                    |
|--|--------------------|
| Wind-down Fund                           | \$ 4,333,291       |
| Expenses Paid by Monitor                 | (659,344)          |
| Interim Distributions to Buyer           | <u>(3,566,493)</u> |
| <b>Balance of Wind-down Fund Account</b> | <b>\$ 107,454</b>  |

38. As at the date of this Fourth Report, the Monitor is holding \$107,454 in the Wind-down Fund account.

### APPROVAL OF FEES

39. Invoices rendered by the Monitor for fees and expenses excluding GST since September 26, 2016 (the commencement of the CCAA Proceedings) total \$702,401 and the Monitor anticipates an additional \$20,000 accrued unbilled work to date and administrative work to complete the CCAA Proceedings (collectively the “**Monitor’s Fees**”). The accounts will be made available upon request.
40. Invoices rendered for fees and expenses including GST by McCarthy Tétrault LLP, the Monitor’s Counsel, since September 26, 2016 total \$258,919 and the Monitor’s Counsel anticipates an additional \$10,000 accrued unbilled work to date and administrative work to complete the CCAA Proceedings (collectively the “**Monitor’s Counsel’s Fees**”). The accounts will be made available upon request.
41. The Monitor believes the Monitor’s Fees and the Monitor’s Counsel’s Fees are appropriate and reasonable for the following circumstances:
- (a) The debtor companies had total claims in excess of \$1.5 million Canadian;
  - (b) The case had complexity and involved significant litigation between various groups of creditors;

- (c) The Monitor administered a sales process and engaged with numerous interest parties as a part of that process;
- (d) A transaction was successfully completed that resulted in:
  - i. The senior secured lenders being fully repaid;
  - ii. The subordinated secured creditors acquiring the assets;
  - iii. Substantially all trade vendors being fully paid (by way of assumption) and
  - iv. Substantially all employees retained their employment.
- (e) Relative to total debt size, the transaction was completed in a timely and efficient fashion (within three months of the granting of the Initial Order);
- (f) The work completed was appropriately delegated to junior staff members by the Monitor and Monitor's Counsel where appropriate; and
- (g) In the experience of the Monitor and the Monitor's Counsel, the fees are consistent with fees charged by similar firms with the capacity and expertise to handle matters of comparable size and complexity and were preformed in a prudent and economic manner.

## DISTRIBUTION OF REMAINING PROCEEDS

42. The Monitor is of the view that there are no further collections or recoveries available to the estate and accordingly, is recommending to terminate these CCAA Proceedings and distribute the remaining proceeds less minor administrative expenses and accrued but unpaid professional fees to complete the administration of the estate (“**Completion Costs**”). The Monitor anticipates the Completion Costs to be approximately \$27,000. Once the Completion Costs are paid the Monitor will distribution the remaining amounts from the Wind-down fund to the Buyer in accordance with paragraph 27 of the Sale Approval Order (the “**Final Distribution**”). The Final Distribution is estimated to be \$81,389.

| <b>Estimated Final Distribution</b> |                  |
|-------------------------------------|------------------|
| <i>As at Apr. 21, 2021</i>          |                  |
| Balance of Wind-down Fund Account   | \$ 107,454       |
| Completion Costs                    | (30,000)         |
| <b>Estimated Final Distribution</b> | <b>\$ 77,454</b> |

## DISCHARGE OF MONITOR

43. The Monitor is requesting it be discharged from its role in these CCAA proceedings as the remaining post-closing and administrative tasks of the Monitor have now been completed. Accordingly, the remaining Monitor’s tasks are to pay final accrued professional fees associated with administering these CCAA Proceedings and complete the Final Distribution to the Buyer.

## CONCLUSIONS AND RECOMMENDATIONS

44. Based on the foregoing, the Monitor respectfully recommends that this Honourable Court grant the Applicants’ request for:
- (a) an Order approving the activities of the Monitor;
  - (b) an Order terminating these CCAA Proceedings; and

(c) an Order approving the Monitor's Fees, the Monitor's Counsel's Fees.

All of which is respectfully submitted this 26<sup>th</sup> day of April, 2021.

FTI Consulting Canada Inc.  
in its capacity as the Monitor of the Lightstream  
Group



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Deryck Helkaa  
Senior Managing Director,



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Dustin Olver  
Senior Managing Director