



No. S238572
Vancouver Registry

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
MYRA FALLS MINE LTD.

PETITIONER

NOTICE OF APPLICATION

Name of Applicant: Myra Falls Mine Ltd. (the "Petitioner" or the "Company")

TO: THE SERVICE LIST

TAKE NOTICE that an application will be made by the Petitioner, Myra Falls Mine Ltd., before Justice Fitzpatrick at the Courthouse at 800 Smithe Street, Vancouver, British Columbia, on Wednesday, October 30, 2024 at 10:00 a.m. for an Order set out in Part 1 below.

The applicant estimates that the application will take **90 minutes** (as arranged through Trial Scheduling)

This matter is before Justice Fitzpatrick.

PART 1: ORDER(S) SOUGHT

1. An order substantially in the form attached hereto as **Schedule "A"** granting the following relief:

- (i) confirming that the time for service of the Notice of Application and supporting materials is abridged such that the Notice of Application is properly returnable on October 30, 2024 and further service thereof is dispensed with;
- (ii) extending the Stay Period (as such term is defined in paragraph 15 of the Amended and Restated Initial Order made by this Honourable Court on

December 28, 2023 (the “**ARIO**”) up to and including January 31, 2025, or such other date as this Court may deem appropriate;

- (iii) authorizing the Petitioner to disclose certain personal information of the Unionized Employees to the Union (as such terms are defined below); and

2. Such other relief as this Honourable Court may deem just.

PART 2: FACTUAL BASIS

1. Capitalized terms used but not otherwise defined in this Application have the meanings ascribed to them in the Affidavit #7 of Hein Frey affirmed October 23, 2024 (the “**Frey Affidavit #7**”) and the ARIO.
2. On December 18, 2023, the Supreme Court of British Columbia (the “**CCAA Court**”), granted MFM an initial order (the “**Initial Order**”) under the *Companies’ Creditors Arrangement Act* (Canada) (the “**CCAA**”), which provided for, among other things:
 - (a) a Stay Period in favour of the Company, until and including December 28, 2023;
 - (b) an Administration Charge up to the maximum of \$350,000;
 - (c) a Directors’ Charge up to the maximum of \$650,000;
 - (d) the Company’s ability to borrow up to a maximum of \$4,000,000 under a debtor-in-possession credit facility (the “**DIP Facility**”) pursuant to a DIP Term Sheet (as amended, the “**DIP Term Sheet**”), among the Company, as borrower and Trafigura US Inc., as interim lender (the “**Interim Lender**”) and a corresponding Interim Lender’s Charge; and
 - (e) the appointment of FTI Consulting Canada Inc. as Court-appointed monitor of the Company (in such capacity, the “**Monitor**”).
3. On December 28, 2023, the CCAA Court granted the ARIO, which, among other things:
 - (a) extended the Stay Period up to and including February 29, 2024;

- (b) authorized the Company to borrow up to \$21,000,000 from the Interim Lender under the DIP Facility, together with a corresponding increase in the amount of the Interim Lender's Charge;
 - (c) increased the amount of the Administration Charge to \$800,000;
 - (d) increased the amount of the Directors' Charge to \$1,200,000; and
 - (e) granted the Interim Lender's Charge, the Administration Charge and the Directors' Charge priority ahead of secured creditors pursuant to ss. 11.2(2), 11.51(2) and 11.52(2) of the CCAA.
4. On February 27, 2024, the CCAA Court granted an Order (the "**SISP Order**"), which, among other things:
- (a) extended the Stay Period until June 30, 2024; and
 - (b) approved a sale and investment solicitation process for offers or proposals to purchase, or invest in, all or substantially all of the Property and Business of the Company (the "**SISP**").
5. On March 7, 2024, the CCAA Court granted an Order (the "**Approval and Vesting Order**") which, among other things, approved the sale of the Company's interest in the Epiroc Lease (as defined in the Approval and Vesting Order) to Breakwater Resources Ltd., pursuant to a sale and assignment agreement dated and effective as of February 28, 2024.
6. On June 28, 2024, the CCAA Court granted an Order (the "**KERP Order**") which, among other things:
- (a) extended the Stay Period up to and including August 2, 2024;
 - (b) authorized the Company to borrow an additional \$5,500,000 from the Interim Lender pursuant to the DIP Facility for an aggregate principal amount of \$26,500,000, together with a corresponding increase in the amount of the Interim Lender's Charge; and
 - (c) approved the KERP (as attached to, and defined in, the KERP Order) in respect of the Company's key employees.

7. On August 2, 2024, the CCAA Court granted Orders, among other things:
- (a) extending the Stay Period up to and including October 31, 2024;
 - (b) authorizing the Company to enter into a transaction (the “**AMTI Transaction**”) contemplated by an Asset Purchase Agreement dated and effective as of July 25, 2024 between MFM, as seller, and Amalgamated Mining & Tunnelling Inc. (“**AMTI**”), as purchaser, in respect of MFM’s rights, title and interest in certain AMTI Equipment and vesting in AMTI all of MFM’s rights, title and interest in and to that equipment, free and clear of all claims;
 - (c) authorizing the Company to enter into a transaction (the “**NTM Transaction**”) contemplated by a Sale and Assignment of Equipment Lease Agreement between MFM, as seller, and Nyrstar Tennessee Mines – Strawberry Plains LLC (“**NTM**”), an affiliate of MFM, as purchaser, in respect of MFM’s rights, title and interest in a certain lease of Sandvick equipment, and vesting in NTM all of MFM’s rights, title and interest in and to such lease, free and clear of all claims;
 - (d) approving an equipment and parts inventory tender process (the “**Tender Process**”) in respect of certain of the Company’s equipment and parts inventory, and granting certain ancillary relief in relation thereto;
 - (e) authorizing the Company to enter into a financing agreement with CAFO Inc. (“**CAFO**”) with respect to the financing by CAFO of the premium payable by Company in relation to its Property insurance policy, and granting CAFO a first-ranking priority Court-ordered charge to the unearned premium of such insurance policy; and
 - (f) authorizing MFM to borrow up to an additional amount of \$7,500,000 pursuant to the terms of the DIP Term Sheet and granting an increase in the amount of the Interim Lender’s Charge to \$34,000,000 (plus accrued and unpaid interest, fees and expenses).
8. The Company is now seeking an Order from the CCAA Court extending the Stay Period until January 31, 2025 and empowering the Company to disclose to the Union certain personal information of members of the Union.

Update Since Last Court Appearance

9. Since the Petitioner last appeared before this Honourable Court on August 2, 2024, the Petitioner has, in good faith and with due diligence;
- (a) completed the AMTI Transaction and the NTM Transaction;
 - (b) made arrangements to provide the British Columbia government with a replacement reclamation bond, which will result in significant premium savings for the Petitioner;
 - (c) continued to operate the Mine in care and maintenance, including conducting environmental monitoring required while the Mine is in care and maintenance;
 - (d) continued ongoing discussions with the First Nations regarding an opportunity to lease the main warehouse located at the Discovery Terminal;
 - (e) updated the Mine's life of mine ("Life of Mine") plan by conducting a full assessment of mineral reserves and technical engineering, and assessing how mining operations could proceed if the Company were to resume operations;
 - (f) conducted a complete review of all the equipment and parts inventory at the Mine, which consisted of approximately 16,700 pieces of equipment and parts, in order to assess which unneeded assets would be included in the Tender Process, versus those that need to be retained in the event that the Mine resumes production;
 - (g) held in-person meeting consultations with third party operators with interest in potentially operating the Mine;
 - (h) initiated discussions with the Union based on the revised Life of Mine plan with a view of getting production enhancements and operating costs concessions; and
 - (i) finalized its work to identify previously disclosed erroneous over-contributions and under-contributions to the Pension Plan. In total, the Petitioner identified over 400 instances where contributions were calculated incorrectly (in all instances, the average over- or under-contribution not exceeding \$3,000).

Details on Restructuring Progress

10. Earlier this year, the Petitioner, with the assistance of the Monitor and FTI Capital Advisors - Canada ULC, conducted a comprehensive sale and investment solicitation process for the Business. Unfortunately, the SISP did not result in any acceptable offers capable of being implemented.

11. Following the SISP, the Petitioner pivoted and engaged with its existing owner and the Interim Lender (collectively, the "**Trafigura Group**") to assess remaining options available to the Petitioner ranging from permanent closure, to long-term care and maintenance, to resuming mining operations following a Trafigura Group – led restructuring. The Petitioner is focussing its efforts on the latter option.

12. The Company, with the assistance and support of the Trafigura Group, has taken a number of steps, which includes those described in paragraph 9 (a) through (h), all with a view of focussing its efforts on developing a comprehensive internal restructuring business plan and strategy that includes productivity improvements and could enable the Petitioner to restructure its balance sheet, exit CCAA protection in 2025 and, with favourable market conditions and certain concessions from key stakeholders, resume mining operations at the Mine. The Company is keeping the Monitor apprised on the development of its restructuring plan with the Trafigura Group.

13. Resumption of mining operations would also require significant capital investments to: (i) update the Mine equipment fleet and certain main infrastructure, (ii) provide training to returning employees, and (iii) restart production ramp-up including capital development and associated infill drilling.

14. The Trafigura Group, who funded approximately US\$114 million on an unsecured basis to keep the Company afloat prior to the Initial Order, has indicated that it will not make further investments in the Mine unless the Petitioner addresses its current cost and productivity challenges. The Petitioner's current operating model is not profitable due to current metal prices combined with below market productivity and high operating cost compared to its peers.

15. Consequently, the Petitioner has met both in person and virtually with the Area Director (British Columbia) for UNIFOR and with locally elected representatives of UNIFOR Local 3019 (collectively the "**Union Representatives**") to discuss the challenges faced by the Petitioner,

the circumstances under which mining operations could resume, and, in good faith, shared confidential financial information and the Petitioner's analysis of the same. The Petitioner also retained Doane Grant Thornton LLP to provide an independent review of, and a report (the "**GT Report**") on, the Petitioner's financial information provided to the Union. The Company provided the GT Report to the Union on October 21, 2024.

16. At the most recent meeting between the Company and the Union, the parties agreed to meet for three days from November 6 to November 8, 2024 to continue negotiations. Based on prior negotiations, the Company anticipates that further meetings will be required to continue or complete these discussions. The negotiations could extend to the first half of 2025.

17. The Monitor and the Monitor's counsel have been present at all meetings with the Union Representatives and it is anticipated that they will continue to attend.

18. The outcome of these negotiations will directly impact the Company's ability to resume mining operations and secure additional investments from the Trafigura Group to implement an exit plan from this CCAA proceedings.

19. In parallel with its discussions with the Union Representatives, the Company has begun discussions with certain first nations representatives (the "**First Nations**") to explore ways in which the First Nations could become more involved in the operations and future of a restructured Mine as well as a possible restructuring of the agreements currently in place between the First Nations, the Company and the Government of British Columbia.

Tender Process

20. This Honourable Court authorized the Tender Process pursuant to an Omnibus Approval Order made on August 2, 2024. The Tender Process contemplated that it would begin following the completion of the Company's equipment and parts inventory classification.

21. The Petitioner's equipment and parts inventory classification entailed extensive efforts and time on the part of the Petitioner's employees, even requiring additional hires to see the process through completion.

22. The Tender Process launched on October 18, 2024 and offers must be received by the Company and the Monitor no later than November 29, 2024. Pursuant to the Omnibus Approval

Order, the Petitioner will be required to seek Court approval of a transaction completed pursuant to the Tender Process, if it exceeds \$1 million or if a series of transactions exceed \$4 million.

Continuation of Care and Maintenance Operations

23. The Company continues to diligently ensure that its operations are conducted in accordance with federal and provincial statutory requirements and that its assets, including its mining permits, are preserved.

24. The Company is preparing an updated care and maintenance plan, which it must submit to the Ministry by December 18, 2024.

25. The Company, with the assistance of the Trafigura Group, has also made arrangements to provide the British Columbia government with a replacement reclamation bond, which will result in significant premium savings for the Company.

26. A Ministry compliance inspection was completed on August 7, 2024, which included (i) an underground and surface water treatment inspection; and (ii) a detailed inspection of the underground rehabilitation, surface infrastructure related to water treatment, dredging projects, tailings dam and general surface infrastructure. The site was found to be fully compliant with no Ministry orders or recommendations issued during the inspection.

27. An external review of outstanding Ministry orders was completed on August 31, 2024. No orders were identified that affects the Company mining permit or could potentially delay restart operations.

Pension Matters

28. As previously disclosed, the Petitioner identified over-contributions and under-contributions to the Pension Plan (the "**Contribution Rectification Process**").

29. The Company was required to do a significant amount of work to calculate the over-contributions and under-contributions as these calculations needed to be completed on a case-by-case basis.

30. The Company also reviewed the calculations with its counsel who then had conversations on a no-name basis with CRA to discuss necessary tax re-filing by affected

individuals. The Company also discussed its proposed approach to the Contribution Rectification Process with the British Columbia Financial Services Authority.

31. The Company is currently conducting a peer review of this information to ensure accuracy, and expects to complete its review in early November.

32. The Union has requested the Company to provide it with the over/under contribution amounts for each affected employee who is a member of the Union, so that it can assist those employees with any question they may have regarding the Contribution Rectification Process. As such, the Company is seeking an Order from the CCAA Court empowering the Company to disclose to the Union certain personal information of the unionized employees.

Stay Extension and Conclusion

33. The Company seeks an Order extending the Stay Period until January 31, 2024.

34. As set out in detail above, the Company requires additional time to carry out negotiations with its various stakeholders. The outcome of these discussions will determine the Company's ability to implement a transaction pursuant to which mining operations could resume at the Mine. The Company is diligently advancing these discussions, recognizing that those stakeholder representatives' time is in high demand, and is engaging with these parties in good faith with a view to implementing a restructuring transaction.

35. The Company believes that the 3 month additional Stay Period will allow it to significantly progress on these various negotiations and anticipates reporting to the Court at the next stay extension hearing.

36. The Company is discharging its post-filing and priority payables and will be able to continue to do so should the Stay Period be extended until January 31, 2025, as per the Updated Cash Flow Statement.

37. As evidenced by the Updated Cash Flow Statement, the Company does not require an increase in its DIP Facility to discharge its obligations until the end of January, 2025.

38. The Interim Lender and the Monitor are supportive of the Stay Extension.

39. The Company is acting diligently in preserving its assets and business, ensuring compliance with applicable statutory requirements, while seeking, in good faith, to implement a restructuring transaction that, assuming:

- (i) appropriate wage concessions;
- (ii) productivity improvements; and
- (iii) favourable macro economic circumstances,

will allow the Company to exit CCAA with the Mine in an operational condition.

PART 3: LEGAL BASIS

44. The Petitioner relies on:

- (a) the CCAA;
- (b) the *Supreme Court Civil Rules*, B.C. Re. 168/2009, as amended;
- (c) *Personal Information Protection Act*, S.B.C. 2003, c. 63 Section 18(1)(i) and 18(1)(o);
- (d) the inherent and equitable jurisdiction of this Honourable Court; and
- (e) such further and other legal basis as counsel may advise and this Honourable Court may allow.

The Stay of Proceedings Should be Extended

45. The current Stay Period expires on October 31, 2024. The Petitioner seeks an extension of the Stay Period until January 31, 2025.

46. Pursuant to section 11.02(2) of the CCAA, the Court may grant an extension of a stay of proceedings if the Court is satisfied that (a) the applicant has acted, and is acting, in good faith and with due diligence; and (b) that circumstances exist that make the order appropriate.

CCAA, s. 11.02(2).

47. Both the examination of whether a debtor has acted in good faith, and the appropriateness of a request for an order extending a stay of proceedings, must be viewed

within the lens of the remedial objectives of the CCAA and in turn the purpose of a stay of proceedings.

Yukon Zinc Corporation (Re), 2015 BCSC 1219 (CanLII), paras 24-25 and 36-38;
Century Services Inc. v Canada (Attorney General), 2010 SCC 60 (CanLII), [2010] 3 SCR 379 [**Century Services**], para 70.

48. The purpose of a stay of proceedings under the CCAA is well established: it is designed to give companies under CCAA protection the “breathing room” required to restructure with a view to maximizing recoveries, whether the restructuring takes place as a going concern or as an orderly liquidation or wind-down.

Target Canada Co. (Re), 2015 ONSC 303 (CanLII), at para 8;
Century Services, at para 14;
Imperial Tobacco Canada Limited, et al, Re, 2019 ONSC 1684, para 9;
Industrial Properties Regina Limited v Copper Sands Land Corp., 2018 SKCA 36, paras 19 and 21.

49. Since the commencement of the Stay Period, the Petitioner has continued to develop its restructuring plan by engaging with its counsel, the Monitor, and its material stakeholders. The Petitioner, under the supervision of the Monitor, has acted in good faith and with due diligence to advance these CCAA proceedings.

50. An extension of the Stay Period will provide the Petitioner with continued breathing space to further its discussions with stakeholders, including the Interim Lender, the Union and the First Nations.

51. The Petitioner will have sufficient liquidity to meet its obligations during the Stay Period. Accordingly, the Company requests this Honourable Court to approve the requested extension of the Stay Period.

52. The Monitor and the Interim Lender support the proposed extension of the Stay Period.

53. For the reasons set out above, the Petitioner submits that the Stay Period should be extended until January 31, 2025.

Disclosure of Personal Information

54. The Union has requested the Petitioner to provide it with the names and the over/under contribution amounts for each affected Unionized Employee, in order to be better positioned to assist such Unionized Employees with any question they may have regarding the Contribution Rectification Process.

55. At this time, the Company has not sought the consent of the Unionized Employees to disclose such personal information to the Union. As such, the Applicant is seeking an order authorizing the Applicant to disclose such information to the Union pursuant to Section 18(1)(i) and 18(1)(o) of the *Personal Information Protection Act*, S.B.C. 2003, c. 63 (the "PIPA").

56. The relevant section of PIPA provides:

An organization may only disclose personal information about an individual without the consent of the individual, if

[...]

(i) the disclosure is for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of personal information,

[...]

(o) the disclosure is required or authorized by law [...] [emphasis added]

57. Section 11 of the CCAA provides this Court with jurisdiction to grant any order, subject to the restrictions set out in the CCAA, that it considers appropriate in the circumstances:

11. Despite anything in the *Bankruptcy and Insolvency Act* or the *Winding-Up and Restructuring Act*, if an application is made under this Act in respect of a debtor company, the court, on the application of any person interested in the matter, may, subject to the restrictions set out in this Act, on notice to any other person or without notice as it may see fit, make any order that it considers appropriate in the circumstances.

58. Although there seems to be no precedent where the court has granted this specific form of relief in a CCAA proceeding, this Honourable Court in 1057863 B.C. Ltd. (Re) 2022 BCSC 759 at para 71 stated that:

"[...] the history of the CCAA is one of evolution and adaptation to meet the particular factual matrix and issues before the court. The broad discretion afforded by s. 11 allows the court to meet and address any unique circumstances and those without precedent, assuming of course

that the relief sought is appropriate and consistent with the CCAA's statutory objectives".
[emphasis added]

59. Granting the Petitioner's order is appropriate and consistent with the CCAA statutory objectives.

60. The personal information involved is carefully limited in scope and strictly restricted to its intended purpose. The purpose is to facilitate communication between the Union and the affected Unionized Employees. This order will facilitate the necessary assistance to the Union in addressing any questions of the Unionized Employees on the over- and under-contributions in a convenient and streamlined manner.


PART 4: MATERIAL TO BE RELIED ON

1. The pleadings and Orders filed in this proceeding
2. Affidavit #7 of Hein Frey, affirmed October 23, 2024
3. Fifth Report of the Monitor, to be filed

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 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.

Date: October 25 2024


Signature of Jonathan B. Ross
Counsel for the Applicant, Myra Falls
Mine Ltd.

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 Associate Judge

APPENDIX

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

THIS APPLICATION INVOLVES THE FOLLOWING:

[Check the box(es) below for the application type(s) included in this application.]

- discovery: comply with demand for documents
- discovery: production of additional documents
- other 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
- other

SCHEDULE "A"

No. S-238572
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IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
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AND

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MYRA FALLS MINE LTD.

PETITIONER

ORDER MADE AFTER APPLICATION

(Stay Extension and Disclosure of Personal Information)

BEFORE THE HONOURABLE)
JUSTICE FITZPATRICK) October 30, 2024
)

THE APPLICATION of the Petitioner, coming on for hearing before me at the courthouse at 800 Smithe Street, Vancouver, British Columbia, on the 30th day of October, 2024; AND ON HEARING Jonathan B. Ross, counsel for the Petitioner and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the materials filed, including the Affidavit #7 of Hein Frey, affirmed October 23, 2024 (the "**Frey Affidavit #7**"), the Affidavit #[●] of Michele Hay, and the Fifth Report of FTI Consulting Canada Inc. (in its capacity as court-appointed monitor of the Petitioner, the "**Monitor**") dated October __, 2024; 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*, BC Reg 168/2009 and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES THAT:

SERVICE AND DEFINITIONS

1. The time for service of the Notice of Application and supporting materials is hereby abridged such that the Notice of Application is properly returnable today.

2. Capitalized terms used in this Order and not otherwise defined herein shall have the meaning given to them in the amended and restated initial order granted in these proceedings by the Honourable Justice Fitzpatrick dated December 28, 2023 (the "**ARIO**") or the Affidavit.

STAY EXTENSION

3. The Stay Period is hereby continued and extended to and including January 31, 2025.

DISCLOSURE OF PERSONAL INFORMATION

4. Pursuant to Section 18(1)(i) of the Personal Information Protection Act, S.B.C. 2003, c. 63 ("**PIPA**"), the Petitioner shall disclose personal information materially relied upon in the Contribution Rectification Process (as defined in the Frey Affidavit #7) (the "**Personal Information**") of identifiable individuals (the "**Unionized Employees**") who are members of UNIFOR Local 3019 (the "**Union**"), to representatives of the Union for the sole purpose of the Union assisting the Unionized Employees in regard to the Contribution Rectification Process including with regard to any questions a Unionized Employee may direct to the Union regarding the Contribution Rectification Process as it applies to that specific Unionized Employee (the "**Purpose**"), but only to the extent reasonably required to allow the Union to effect the Purpose.

5. The Union and each representative of the Union to whom the Personal Information are disclosed shall protect such Personal Information, including without limitation, in accordance with PIPA, and limit the use and disclosure of such Personal Information to the Purpose. Further, the Union shall promptly destroy such Personal Information when the Purpose is no longer being served by retention of such Personal Information.

GENERAL

6. Endorsement of this Order by counsel appearing on this application other than counsel for the Petitioner is hereby dispensed with.

7. This Order and all of its provisions are effective as of 12:01 a.m. local Vancouver time on the date this Order is made.

THIS COURT REQUESTS the aid and recognition of other Canadian and foreign Courts, tribunal, regulatory or administrative bodies, including any Court or administrative tribunal of any federal or State Court or administrative body in the United States of America, to act in aid of and to be complementary to this Court in carrying out the terms of this Order where required. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Petitioner and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Petitioner and the Monitor and their respective agents in carrying out the terms of this Order.

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:

Signature of Jonathan B. Ross
Lawyer for the Petitioner

BY THE COURT

REGISTRAR

Schedule "A"

LIST OF COUNSEL

COUNSEL NAME	PARTY REPRESENTED

No. S-238572
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PETITIONER

**ORDER
(STAY EXTENSION)**

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File No. A172589

MD/

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