

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

**IN THE MATTER OF THE RECEIVERSHIP OF
SKYSERVICE AIRLINES INC.**

THE HONOURABLE MR.

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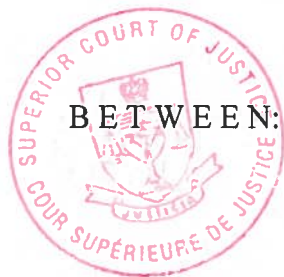
WEDNESDAY, THE 26th

JUSTICE NEWBOULD

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DAY OF APRIL, 2017

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BETWEEN:

THOMAS COOK CANADA INC.

Applicant

- and -

SKYSERVICE AIRLINES INC.

Respondent

DISCHARGE ORDER

THIS MOTION, made by FTI Consulting Canada Inc. in its capacity as the Court-appointed receiver ("**Receiver**") of the undertaking, property and assets of Skyservice Airlines Inc. (the "**Debtor**") acquired for, or used in relation to a business carried on by the Debtor, for an order:

1. approving the activities of the Receiver as set out in the Sixteenth Report of the Receiver dated April 21, 2017 (the "**Report**");

2. approving the fees and disbursements of the Receiver and its legal counsel for the period to March 31, 2017, and the estimated fees and disbursements of the Receiver and its legal counsel for the period from April 1, 2017 to the discharge of the Receiver;

3. discharging and releasing FTI Consulting Canada Inc. as Receiver and terminating the receivership, effective upon the filing with the Court by the Receiver of a certificate confirming the completion of the Receiver's remaining obligations as described in the Report, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Report and the attached affidavits of the Receiver and its legal counsel as to fees (the "**Fee Affidavits**"), and on hearing the submissions of counsel for the Receiver, no one else appearing although served as evidenced by the Affidavit of Swee-Teen Yeoh sworn April 21, 2017, filed;

1. THIS COURT ORDERS that the time for service of this motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service hereof.

2. THIS COURT ORDERS that activities of the Receiver, as set out in the Report, are hereby approved.

3. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, are hereby approved.

4. THIS COURT ORDERS that, after payment of the fees and disbursements herein approved and upon the Receiver filing a certificate certifying that it has completed the remaining obligations as described in the Report (the "**Certificate**"), the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of FTI Consulting Canada Inc. in its capacity as Receiver.

5. THIS COURT ORDERS AND DECLARES that effective upon the Receiver filing the Certificate, FTI Consulting Canada Inc. is released and discharged from any and all liability that FTI Consulting Canada Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of FTI Consulting Canada Inc. while acting in its capacity as Receiver, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, FTI Consulting Canada Inc. is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.

6. THIS COURT ORDERS that, effective upon the Receiver filing the Certificate, the Receiver is authorized to finally dispose of the books, records and documents of the Debtor.



ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

APR 26 2017

PER / PAR:



**IN THE MATTER OF THE RECEIVERSHIP OF SKYSERVICE AIRLINES INC.
BETWEEN:**

THOMAS COOK CANADA INC.
Applicant

and **SKYSERVICE AIRLINES INC.**
Respondent

Court File No.: CV-14-10695-00CL

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Proceeding commenced at Toronto

DISCHARGE ORDER

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