



Court File No. CV-21-656040-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE CHIEF

)

MONDAY, THE 30TH

JUSTICE MORAWETZ

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DAY OF MAY, 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 PLAN OF COMPROMISE OR ARRANGEMENT OF
LAURENTIAN UNIVERSITY OF SUDBURY

Applicant

USUDBURY PENSION AGREEMENT APPROVAL ORDER

THIS MOTION, brought by the Applicant pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "CCAA") proceeded on May 30, 2022 by judicial videoconference via Zoom in Toronto, Ontario, in accordance with the Guidelines to Determine Mode of Proceeding in Civil Proceedings, effective April 19, 2022.

ON READING the Applicant's Notice of Motion dated May 23, 2022 (the "**Notice of Motion**"), the affidavit of Dr. Robert Haché sworn May 23, 2022 (the "**Haché Affidavit**") and the Exhibits thereto, and the Thirteenth Report of Ernst & Young Inc., in its capacity as court-appointed Monitor (the "**Monitor**"), and on hearing the submissions of counsel for the Applicant, counsel for the Monitor, and those other parties listed on the Counsel Slip, no one else appearing although duly served with the Applicant's Motion Record dated May 23, 2022 (the "**Motion Record**") as appears from the Affidavit of Service of Derek Harland sworn May 24, 2022,

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that service of the Applicant's Notice of Motion and the Applicant's Motion Record is hereby validated, so that its Motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that capitalized terms used herein that are not otherwise defined shall have the meaning ascribed to them in the Haché Affidavit.

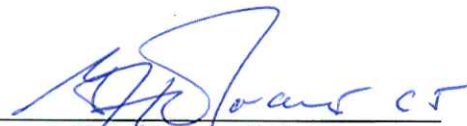
APPROVAL OF USUDBURY PENSION PARTICIPATION AGREEMENT

3. **THIS COURT ORDERS** that the agreement entered into between the Applicant and the University of Sudbury ("USudbury") dated May 16, 2022 (the "**USudbury Pension Participation Agreement**") is hereby approved, and each of the Applicant and USudbury are hereby authorized to carry out the terms of the USudbury Pension Participation Agreement. The Applicant and USudbury are hereby authorized to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the USudbury Pension Participation Agreement and the transactions contemplated therein.

GENERAL

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or outside of Canada to give effect to this Order and to assist the Applicant, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicant 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 Applicant and the Monitor and their respective agents in carrying out the terms of this Order.
5. **THIS COURT ORDERS** that each of the Applicant and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Monitor is authorized and empowered to act as a representative

in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.



Chief Justice G.B. Morawetz

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 OR
ARRANGEMENT OF LAURENTIAN UNIVERSITY OF SUDBURY

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(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**USUBBURY PENSION AGREEMENT
APPROVAL ORDER**

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