COURT FILE NUMBER 2001-06722

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE **CALGARY**

PLAINTIFF HSBC CANADA, AS AGENT

DEFENDANT Q'MAX SOLUTIONS INC., FLUID HOLDINGS CORP.,

Q'MAX SOLUTIONS HOLDINGS INC., 1356760 ALBERTA

Clerk's Stamp

Mar 20, 2024

LTD. and QMAX CANADA OPERATIONS INC.

DOCUMENT RESTRICTED COURT ACCESS ORDER

ADDRESS FOR SERVICE AND

CONTACT INFORMATION OF

PARTY FILING THIS

DOCUMENT

OSLER, HOSKIN & HARCOURT LLP

2700, 225 – 6th Avenue SW Calgary, Alberta T2P 1N2

Attn: Randal Van de Mosselaer

Telephone: 403-260-7060 Facsimile: 403-260-7024

E-mail: rvandemosselaer@osler.com

DATE ON WHICH ORDER WAS PRONOUNCED: March 20, 2024

LOCATION WHERE ORDER WAS PRONOUNCED: Calgary, Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: Madam Justice B. Johnston

UPON THE APPLICATION of KPMG Inc. in its capacity as Court-appointed receiver and manager (the "Receiver") of Q'Max Solutions Inc., Fluid Holdings Corp., Q'Max Solutions Holdings Inc., 1356760 Alberta Ltd. and QMax Canada Operations Inc. (collectively, the "Debtors") for an order sealing the Confidential Supplement (the "Confidential Supplement") to the Fourth Report of the Receiver, dated March 11, 2024 (the "Fourth Report"); AND UPON having read the Consent Receivership Order granted by the Honourable Madam Justice A.D. Grosse on May 28, 2020 (the "Receivership Order"), the Fourth Report, the Confidential Supplement and the Affidavit of Service of Elena Pratt, sworn March 19, 2024; AND UPON hearing from counsel for the Receiver and any other interested parties that may be present;

IT IS HEREBY ORDERED AND DECLARED THAT:

- 1. Service of notice of this Application is hereby declared to be good and sufficient, this Application is properly returnable today, no other person is required to have been served with notice of this Application.
- 2. The Confidential Supplement shall be sealed on the Court file and shall not form part of the public record, notwithstanding Division 4, Part 6 of the Alberta *Rules of Court*.
- 3. The Confidential Supplement shall be sealed until the Receiver files the Receiver's Certificate with the Court in the within Action confirming the closing of the Kuwait JV Transaction (as that term is defined in the Fourth Report), or ninety (90) days from the date of a Discharge Order being granted in these proceedings, whichever shall occur first.
- 4. The Clerk of this Honourable Court shall file the Confidential Supplement in a sealed envelope attached to a notice that sets out the style of cause of these proceedings and states that:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIALS FILED BY KPMG INC., IN ITS CAPACITY AS THE COURT-APPOINTED RECEIVER OF Q'MAX SOLUTIONS INC., FLUID HOLDINGS CORP., Q'MAX SOLUTIONS HOLDINGS INC., 1356760 ALBERTA LTD. AND QMAX CANADA OPERATIONS INC. THE CONFIDENTIAL MATERIALS ARE SEALED PURSUANT TO THE SEALING ORDER ISSUED BY JUSTICE B. JOHNSTON ON MARCH 20, 2024.

- 5. The Receiver is at liberty to reapply for further advice, assistance and direction as may be necessary to give full force and effect to the terms of this Order.
- 6. The Receiver shall serve by courier, fax transmission, email transmission or ordinary post, a copy of this Restricted Court Access Order on all parties present at this Application and on all parties who are presently on the service list established in these proceedings and such service shall be deemed good and sufficient for all purposes.

BBJohnston

Justice of the Court of Queen's Bench of Alberta Kings