

BUSINESS DEVELOPMENT BANK OF CANADA
Applicant

AND

ASTORIA ORGANIC MATTERS LTD. and ASTORIA
ORGANIC MATTERS CANADA LP

Respondents

August 24/17 Court File No. CV-17-11760-00CL

Aug 24/17

- THE LEASE IS CONFIDENTIAL BETWEEN THE PARTIES. THE RECEIVER AGREES IT IS A RELEVANT DOCUMENT IN THIS PROCEEDING. THEREFORE IT IS ORDERED PRODUCED TO THE LIEN CLAIMANTS IN ATTENDANCE.

- Motion re APPROVE SALE ADJOURNED TO A 9³⁰ APPOINTMENT ON Aug 31/17 BEFORE ME.

- CONFIDENTIAL SUPPLYED TO THE FIRST REPORT IS TO BE SEALED PENDING FURTHER ORDER. IF MADE PUBLIC IT COULD DESTROY THE VALUE - MAXIMIZE BID PROCEEDS IF IT CONTINUES. ~~THE DISCLOSURE~~ AS THE LEASE HONOURER HAS NO SIMILAR RISK OF PRESUMED TO OVERCOME

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- Receiver RENEWED FOR APPROVAL OF FEES AND FEE IS ADJOURNED TO BE BROUGHT BACK WITH FINAL APPROVAL OF THE COURT OR OTHER OUTCOME.

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
PROCEEDING COMMENCED AT TORONTO

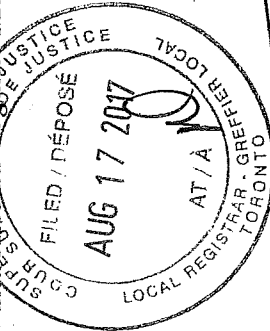
MOTION RECORD
(Motion returnable August 24 2017)

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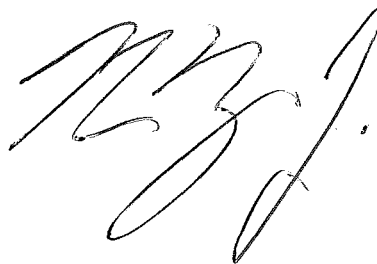
Steven L. Graff - LSUC #31871V
Kyle B. Plunkett - LSUC No. 61044N

Lawyers for BDO Canada Limited, in its capacity
as Court appointed receiver of Astoria Organic
Matters and Ltd. and Astoria Organic Matters
Canada LP



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AN ASSET SALE IS NOT THE TIME FOR CREDITORS TO APPLY LEVERAGE TO IMPROVE THEIR SECURITY OR TO IMPROVE ANOTHER CREDITORS' SECURITY. VALUE-MAXIMIZING SALES ARE TO BE SOUGHT BUT NOT AT THE EXPENSE OF A CREDITOR. NOR CAN A CREDITOR USE ITS POSITION TO THREATEN TO DESTABILIZE THE RECOVERY OF ANOTHER CREDITOR. THE COURT WILL PRESERVE THE POSITIONS OF ALL AND EXPECTS ITS OFFICER TO REMAIN FOCUSED ON ITS FIDUCIARY DUTY TO DO LIKEWISE.

A handwritten signature in black ink, appearing to be 'M. J.', written in a cursive style.