

EXPORT DEVELOPMENT CANADA and
Applicant

UNIQUE BROADBAND SYSTEMS LTD. and UBS-
AXCERA INC.

Respondents

Court File No.: CV-19-620769-00CL

12 Dec 19
Approval + vesting order to go
as per draft Order + signed. There is
no opposition. I have reviewed it
with counsel. In my view the process
has been fair and reasonable as
are the terms of the transaction. Fear
sought are also fair & reasonable given
the lengthy nature of the process.
Insofar as the issue of the
Bidder's Deposit is concerned, the Bidder
has not responded to service of the
motion Record. If the Bidder seeks
to bring a motion to obtain the return
of the Non-Refundable Portion of its
Deposit, it shall do so as per Schedule
A attached. A seating order shall go as
the Sierra Club criteria have been met.

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceedings commenced at Toronto

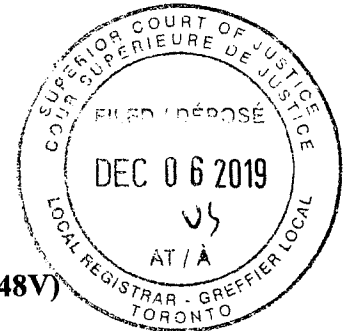
MOTION RECORD
(Returnable December 12, 2019)

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Lawyers for the Receiver



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TM Schedule A *TM*

“The Receiver’s retention of the Non-Refundable Portion of the Bidder’s Deposit delivered to it by the Bidder (as each capitalized term is as defined in the Receiver’s Second Report to the Court dated December 4, 2019) is approved. If the Bidder wishes to bring a motion seeking to obtain the return of the Non-Refundable Portion of the Bidder’s Deposit, it shall serve its motion materials on the Receiver and the Service List by no later than December 20, 2019, with a return date to be scheduled at a 9:30 a.m. chambers attendance on the first available date in January if the parties cannot agree to such date and schedule.”

TM