



COURT FILE NUMBER

25-2681862

#1103819

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*, RSC 1985, C B-3, AS AMENDED

AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF NEWSCO INTERNATIONAL ENERGY SERVICES INC.

DOCUMENT

**ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

**BENNETT JONES LLP**  
Barristers and Solicitors  
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Attention: Chris Simard / Dylan Gibbs  
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Client File No.: 88912.3

**DATE ON WHICH ORDER WAS PRONOUNCED:**

**November 19, 2020**

**LOCATION OF HEARING OR TRIAL:**

**Calgary Courts Centre**

**NAME OF MASTER/JUDGE WHO MADE THIS ORDER:**

**The Honourable Madam Justice C. Dario**

**UPON** the application of Newsco International Energy Services Inc. ("**Newsco**"); **AND UPON** reading the Affidavit of William L. Melville, sworn November 9, 2020; **AND UPON** reading the First Report of the Proposal Trustee, BDO Canada Limited (the "**Proposal Trustee**"); **AND UPON** hearing counsel for Newsco, counsel for the Proposal Trustee, and counsel for other interested parties;

**IT IS ORDERED AND DECLARED THAT:**

Service

1. The time for service of the notice of application for this order (the "**Order**") is hereby abridged and deemed good and sufficient and this application is properly returnable today.

Extension of Time to File a Proposal

2. The time within which Newsco must file a proposal to its creditors, under section 50.4 of the *Bankruptcy and Insolvency Act*, is hereby extended to December 23, 2020.

Authorized Payments

3. To the extent permitted by law, Newsco shall be entitled but not required to pay the following expenses, incurred prior to or after October 20, 2020, the date on which Newsco filed its Notice of Intention to make a Proposal:

- (a) all outstanding and future wages, salaries, employee and pension benefits, vacation pay and expenses payable to Newsco's employees and contractors, in each case incurred in the ordinary course of business and consistent with Newsco's existing compensation policies and arrangements; and
- (b) payment for goods or services actually supplied to the Applicants by those parties listed in the attached **Schedule "A"** (the "**Critical Suppliers**"), with the consent of the Proposal Trustee.

Administration Charge

4. As security for the professional fees and disbursements incurred both before and after the granting of this Order, the Proposal Trustee, the Proposal Trustee's legal counsel and counsel to Newsco (the "**Chargees**") shall be entitled to the benefits of and are hereby granted a first-ranking charge (the "**Administration Charge**") on all of Newsco's present and after-acquired assets, property, and undertakings (the "**Property**"), which charge shall not exceed an aggregate amount of \$150,000, as security for their professional fees and disbursements incurred at their normal rates and charges, and Newsco is hereby authorized to pay such fees and disbursements, incurred both before and after the making of this Order.

5. The filing, registration or perfection of, the Administration Charge shall not be required, and the Administrative Charge shall be valid and enforceable for all purposes, including as against any right, title or interest filed, registered, recorded or perfected subsequent to the Administrative Charge coming into existence, notwithstanding any such failure to file, register, record or perfect.


6. The Administrative Charge shall constitute a charge on the Property shall rank in priority to all other security interests, trusts, liens, charges and encumbrances, and claims of secured creditors, statutory or otherwise (collectively, "**Encumbrances**") in favour of any person.

7. Except as otherwise expressly provided for herein, or as may be approved by this Court, Newsco shall not grant any Encumbrances over any Property that rank in priority to, or *pari passu* with, the Administration Charge, unless the Applicant also obtains the prior written consent of the Proposal Trustee and the Chargees or a further order of this Court.

8. The Administration Charge shall not be rendered invalid or unenforceable and the rights and remedies of the Chargees shall not otherwise be limited or impaired in any way by:

- (a) the pendency of these proceedings and the declarations of insolvency made in this Order;
- (b) any application(s) for bankruptcy order(s) issued pursuant to BIA, or any bankruptcy order made pursuant to such applications;

- (c) the filing of any assignments for the general benefit of creditors made pursuant to the BIA;
- (d) the provisions of any federal or provincial statutes; or
- (e) any negative covenants, prohibitions or other similar provisions with respect to borrowings, incurring debt or the creation of Encumbrances, contained in any existing loan documents, lease, sublease, offer to lease or other agreement (collectively, an “**Agreement**”) that binds Newsco, and notwithstanding any provision to the contrary in any Agreement:
  - (i) neither the creation of the Administration Charge nor the execution, delivery, perfection, registration or performance of any documents in respect thereof shall create or be deemed to constitute a new breach by Newsco of any Agreement to which it is a party;
  - (ii) none of the Chargees shall have any liability to any person whatsoever as a result of any breach of any Agreement caused by or resulting from the creation of the Administrative Charge; and
  - (iii) the payments made by Newsco pursuant to this Order, and the granting of the Administrative Charge, do not and will not constitute preferences, fraudulent conveyances, transfers at undervalue, oppressive conduct or other challengeable or voidable transactions under any applicable law.

  
\_\_\_\_\_  
J.C.Q.B.A.

**SCHEDULE "A" – CRITICAL SUPPLIERS**

<b>Supplier</b>	<b>Amount Owing</b>
Aadya E-Travel	\$9,964.58
ABS International Holdings Limited	\$128,288.50
Ajoy Koch & Co.	\$57,621.69
Alpha Services	\$200.24
Anil K Badhwar	\$8,052.67
Ashik Patowary	\$3,370.78
Ashini Kumar Chetia	\$8,052.67
ASSAM PETROLEUM LIMITED	\$1,512.84
Bedanta Chetia	\$3,957.10
Central Processing Cell – TDS	\$27,268.14
DD Services	\$9,127.82
Dolphin Enterprises	\$9,964.58
Eco & Agro Movers Pvt. Ltd.	\$200.24
Employees Provident Fund Organisation	\$3,759.23
Finanic Services	\$3,957.10
Garg Sales Corporation	\$8,810.90
Gaurav Sahni HUF	\$6,028.02
Gautam Sahni HUF	\$7,292.41
K. V. Enterprises	\$3,370.78
K.S. ENTERPRISES	\$57,621.69
Labour Welfare Fund Office	\$19.16
M/S Muzzamil Islam Ali	\$7,292.41
MRA Oil Feild Services	\$6,028.02
North East Logistics	\$8,810.90
Oil Feild Warehouse & Services Ltd.	\$68,704.57
Oil Well Tools Services and Supplies Pvt. Ltd.	\$2,782.22
Omkar Clearing Forwarding Pvt. Ltd.	\$44,742.19
Proactive Facilities Pvt. Ltd.	\$27,605.90
Prodip Sarma	\$64,115.68
Safe & Trust Logistics	\$22,778.38
Sanjay Art Printers	\$30,742.79
Scorpion Mechanical Components Pvt. Ltd.	\$1,512.84
Standard Instrumentation System	\$1,502.32
V Sankar Aiyar & Co.	\$8,285.84
Vaishnavi Engineering	\$2,363.78