CERTIFIED E. Wheaton by the Court Clerk as a true copy of the document digitally filed on Jul 23, 2024

COURT FILE NUMBER 2201-09184

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFF ATB FINANCIAL

DEFENDANTS MALGORZATA NOWAK PROFESSIONAL

CORPORATION, SANITAS LIMITED and

MALGORZATA NOWAK

APPLICANT BDO CANADA LIMITED, in its capacity as

the Court-appointed Receiver and manager

of MALGORZATA NOWAK

PROFESSIONAL CORPORATION and

**SANITAS LIMITED** 

DOCUMENT SEALING ORDER

ADDRESS FOR SERVICE

AND CONTACT INFORMATION OF PARTY FILING THIS

DOCUMENT

MLT AIKINS LLP

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Fax: 403.508.4349 Attention: Ryan Zahara File: 0128056.00005

DATE ON WHICH THIS ORDER WAS PRONOUNCED: JULY 23. 2024

LOCATION AT WHICH ORDER WAS MADE: CALGARY, ALBERTA

NAME OF THE JUDGE WHO MADE THIS ORDER: JUSTICE B.E.C. ROMAINE

**UPON THE APPLICATION** (the "**Application**") of BDO Canada Limited, in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of the undertakings, property and assets of Malgorzata Nowak Professional Corporation (operating as Sanitas Dental Health) and Sanitas Limited (collectively, the "**Debtors**") for an Order sealing certain confidential information and an Order approving the sale transaction contemplated by an Asset Purchase Agreement (the "**Herchen APA**") between the Receiver and H.R. Herchen Professional Corporation or its

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nominee, respecting certain purchased assets described in the Herchen APA (the "**Purchased Assets**");

AND UPON HAVING READ the Application, Receivership Order dated January 11, 2024, (the "Receivership Order"), First Report of the Receiver dated July 16, 2024 (the "First Report"), the Confidential Supplement to the Receiver's First Report (the "Confidential Supplement"), and the Affidavit of Service of Olia Kaluhina, sworn July 22, 2024; AND UPON IT appearing that all interested and affected parties have been served with notice of the Application; AND UPON HEARING the submissions of counsel for the Receiver and all other interested parties present;

## IT IS HEREBY ORDERED THAT:

- 1. The clerk of the Court is hereby directed to seal the Confidential Supplement on the Court file until the earlier of:
  - i) an Order of this Court directs that the Confidential Supplement be filed in this Action;
  - ii) the Herchen APA has closed, and the Receiver files a receiver's certificate respecting the Herchen APA with the Clerk of the Court confirming the Herchen APA has closed; or
  - iii) January 23, 2025.
- 2. The Clerk of the Court is hereby directed to seal the Confidential Supplement in an envelope setting out the style of cause in the within proceedings and labelled:

THIS ENVELOPE CONTAINS CONFIDENTIAL DOCUMENTS. THESE CONFIDENTIAL DOCUMENTS ARE SEALED ON COURT FILE 2101-09184 PURSUANT TO THE ORDER ISSUED BY JUSTICE ROMAINE ON JULY 23, 2024. THESE CONFIDENTIAL DOCUMENTS ARE NOT TO BE ACCESSED BY ANY PERSON UNTIL EARLIER OF AN ORDER OF THE COURT DIRECTING THAT THESE CONFIDENTIAL DOCUMENTS BE FILED, AFTER THE FILING OF A RECEIVER'S CERTIFICATE FROM BDO CANADA LIMITED, IN ITS CAPACITY AS RECEIVER OF THE DEBTORS, CONFIRMING THAT THE CONFIDENTIAL DOCUMENTS MAY BE FILED, OR AFTER January 23, 2025.

The Honourable Justice B.E.C. Romaine Justice Of The Court Of King's Bench Of Alberta