

COURT FILE NUMBER	2401-01216
COURT	COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE	CALGARY
PLAINTIFF	ATB FINANCIAL
DEFENDANTS	APEX NUTRI-SOLUTIONS INC. 2175551 ALBERTA LTD. STEVEN HERBERT, DAVID HERBERT, MURRAY HERBERT AND CAROLYN HERBERT
APPLICANT	BDO CANADA LIMITED, in its capacity as receiver and manager or APEX NUTRI-SOLUTIONS INC., 2175551 ALBERTA LTD., and certain property of MURRAY HERBERT AND CAROLYN HERBERT
DOCUMENT	<b>ORDER (APPROVAL OF RECEIVER'S FEES AND DISBURSEMENTS, APPROVAL OF RECEIVER'S ACTIVITIES)</b>
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	<b>MLT AIKINS LLP</b> 2100, 222 – 3 <sup>rd</sup> Ave. SW Calgary, AB T2P 0B4 Attention: Ryan Zahara / Paul Olfert Phone: 403-693-5420 / 306-956-6970 Fax: 403-508-4349 / 306-975-7145 File: 0128056.00009




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<b>DATE ON WHICH ORDER WAS PRONOUNCED:</b>	<b>AUGUST 25, 2025</b>
<b>LOCATION WHERE ORDER WAS PRONOUNCED:</b>	<b>CALGARY, ALBERTA</b>
<b>NAME OF THE JUSTICE WHO MADE THIS ORDER:</b>	<b>JUSTICE C.D. SIMARD</b>

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**UPON THE APPLICATION** of BDO Canada Limited (the “**Receiver**”), in its capacity as the Court-appointed receiver of the undertaking, property and assets of 2175551 Alberta Ltd. (“**217 AB**”) pursuant to the Receivership Order dated February 20, 2025 (the “**217 AB Receivership**”) and in its capacity as the Court-appointed receiver of Apex Nutri-Solutions Inc. (“**Apex**”; together with 217 AB, the “**Debtors**”) pursuant to the Receivership Order dated April 2, 2025 (the “**Apex Receivership**”; together with the 217 AB Receivership, the “**Receiverships**”) for approval of the Receiver’s fees and disbursements and approval of the

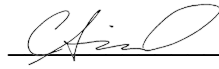
Receiver's activities; **AND UPON** having read the Receivership Order dated February 20, 2025 in the 217 AB Receivership and the Receivership Order dated April 2, 2025 in the Apex Receivership, the Application, and the Third Report of the Receiver dated August 14, 2025 (the "**Third Report**"); **AND UPON** hearing from counsel for the Receiver, counsel for the Debtors and any other interested person; **AND UPON** being satisfied that it is appropriate to do so, **IT IS ORDERED THAT:**

### **Service**

1. Service of notice of this application and supporting materials is hereby declared to be good and sufficient, and no other person is required to have been served with notice of this application, and time for service of this application is abridged to that actually given.
2. This Order shall be served on all parties on the Service List and service may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following the transmission or delivery of such documents.
3. Service of this Order on any party not attending this application is hereby dispensed with.

### **Activities, Fees and Disbursements**

4. The Receiver's accounts for fees and disbursements in relation to the Receiverships and the accounts of the Receiver's legal counsel, MLT Aikins LLP, for its fees and disbursements in relation to the Receiverships, as set out in Appendix H of the Third Report, are hereby approved without the necessity of a formal passing of accounts.
5. The Receiver's activities in relation to the Receiverships, as set out in the Third Report, are hereby ratified and approved.
6. The Receiver's interim Statement of Receipts and Disbursements in relation to the Receiverships, as set out in Appendix I of the Third Report, are hereby ratified and approved.



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The Honourable Justice C.D. Simard  
Justice of the Court of King's Bench of Alberta