



No. S-264225  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36

AND

SYMPHONY HOMES (MOONLIGHT SONATA) LIMITED,  
1168386 B.C. LTD., 1197030 B.C. LTD., 1197062 B.C. LTD., SYMPHONY HOMES  
(WAYBURNE) LTD., and 663466 B.C. LTD.

PETITIONERS

**ORDER MADE AFTER APPLICATION**

**(Enhanced Powers and Stay Extension)**

BEFORE THE HONOURABLE ) July 29, 2026  
JUSTICE MILMAN )  
)

ON THE APPLICATION of KingSett Mortgage Corporation ("**KingSett**") coming on for hearing at Vancouver, British Columbia, on July 29, 2026; AND ON HEARING Kibben Jackson, by MS Teams, and Lisa Hiebert, counsel for KingSett, and those other counsel listed on Schedule "A" hereto; AND UPON READING the materials filed, including the Second Report of AlixPartners Restructuring, Inc. (the "**Monitor**") dated July 21, 2026, Affidavit #1 of Daniel Pollack made July 21, 2026, Affidavit #2 of Daniel Pollack made July 22, 2026, and Affidavit #2 of Jordan Beaulieu made July 28, 2026; AND pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36 as amended (the "**CCAA**"), the *British Columbia Supreme Court Civil Rules* and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES THAT:

**SERVICE**

1. The time for service of the notice of application for this order and the materials filed in support is hereby abridged such that this application is properly returnable today.

## **EXTENSION OF STAY PERIOD**

2. The Stay Period, as defined in the amended and restated initial order of this Court made herein on June 26, 2026 (the “ARIO”) is hereby extended until September 11, 2026.

## **EXPANDED POWERS**

3. The ARIO is hereby varied by deleting paragraph 24 thereof and replacing it with the following paragraph:

24. In addition to the powers and duties of the Monitor set forth above, and in addition to its prescribed rights and obligations under the CCAA and applicable law, the Monitor is empowered and authorized, but not obligated, to exercise any powers the Monitor deems appropriate which may be properly exercised by the board of directors or any officers of the Petitioners, on behalf of and in the name of the Petitioners, including without limitation the power to:

- a) cause the Petitioners to take any action permitted to be taken by the Petitioners generally and pursuant to the CCAA, this Order or any other order made in these proceedings, including, but not limited to, winding down the Business, liquidating the Property, making distributions or payments, and such other activities as may, in the Monitor’s sole discretion, be necessary or appropriate;
- b) take possession of and exercise control over the Property and any and all receipts and disbursements arising out of or from the Property;
- c) receive, preserve, and protect the Property, or any part or parts thereof, including, but not limited to, changing locks and security codes, relocating any Property, engaging independent security personnel, taking physical inventories, and placing insurance coverage;
- d) manage, operate, and carry on the Business, including the powers to enter into any agreements, incur any obligations in the ordinary course of business, cease to carry on all or any part of the Business, or cease to perform any contracts of the Petitioners relating thereto;

- e) engage, retain or terminate the services of, or cause the Petitioners to engage, retain or terminate the services of, any officer, employee, consultant, representative, advisor, or other person, all under the supervision and direction of the Monitor, as the Monitor, in its sole discretion, deems necessary or appropriate to assist with the exercise of its powers and duties under this Order;
- f) facilitate or assist in the preparation, filing and remittance of the Petitioners' statutory tax and financial requirements, including employee-related remittances, T4 statements, and records of employment, in each case based solely upon the information available from the Petitioners' books and records on the basis that the Monitor shall incur no liability or obligation to any person with respect of such filings or remittances;
- g) deal with any regulatory authority in respect of the Property, including to execute any appointment or authorization form on behalf of the Petitioners that any regulatory authority may require to confirm the Monitor's appointment as an authorized representative of the Petitioners for such purposes;
- h) purchase or lease such machinery, equipment, inventories, supplies, premises, or other assets in order to preserve and carry on the Business;
- i) receive and collect all monies and accounts now owed or hereafter owing to the Petitioners and to exercise all remedies of the Petitioners in collecting these amounts, including, without limitation, enforcement of any security held by the Petitioners;
- j) operate and control, on behalf of the Petitioners, all of the Petitioners' existing accounts at any financial institution (each an "**Account**" and collectively the "**Accounts**") in such manner as the Monitor, in its sole discretion, deems necessary or appropriate, including without limitation, to:
  - i. exercise control over the funds credited to or deposited in the Accounts;
  - ii. effect any disbursement from the Accounts permitted by this Order or any other order granted in these proceedings;

- iii. give instructions from time to time with respect to the Accounts and the funds credited to or deposited therein, including to transfer the funds credited to or deposited in such Accounts to such other account or accounts as the Monitor may direct; and
- iv. add or remove persons having signing authority with respect to any Account or to direct the closing of any Account;

and the financial institutions maintaining such Accounts shall not be under any obligation whatsoever to inquire into the propriety, validity or legality of any transfer payment, collection or other action taken in accordance with the instructions of the Monitor as to the use or application of funds transferred, paid, collected or otherwise dealt with in accordance with such instructions, and such financial institutions shall be authorized to act in accordance with and in reliance upon the instructions of the Monitor without any liability in respect thereof to any person;

- k) settle, extend, or compromise any indebtedness owing to the Petitioners;
- l) execute, assign, issue, and endorse documents of whatever nature in respect of any of the Property for any purpose pursuant to the CCAA, this Order and any other order made in these proceedings;
- m) undertake environmental or workers' health and safety assessments of the Property and operations of the Petitioners relating thereto;
- n) initiate, continue, manage, and direct all legal proceedings now pending or hereafter pending (including appeals or applications for judicial review) in respect of the Property, including initiating, prosecuting, continuing, defending, settling, or compromising the proceedings;
- o) market any or all of the Property, including advertising and soliciting offers in respect of the Property or any part or parts thereof and negotiating such terms and conditions of sale as the Monitor considers appropriate;

- p) sell, convey, transfer, lease, or assign the Property or any part or parts thereof out of the ordinary course of business with the approval of this Court, including to execute any conveyance or other closing documents in relation to such a transaction;
- q) apply for any vesting order or other orders necessary to convey the Property or any part or parts thereof to a purchaser or purchasers, free and clear of any liens or encumbrances;
- r) apply for any permits, licences, approvals, or permissions as may be required by any governmental authority relating to the Property, and any renewals thereof;
- s) deal with any liens claims that have been or may be registered, as the case may be, or which arise in respect of the Property, including any part or parts thereof;
- t) cause the Petitioners (or any of them) to take such steps as the Monitor determines may be necessary or appropriate to comply with the British Columbia *Real Estate Development Marketing Act*, S.B.C. 2004, c. 41;
- u) enter into agreements with any trustee in bankruptcy appointed in respect of the Petitioners, including, without limitation, the ability to enter into occupation agreements for any property owned or leased by the Petitioners;
- v) exercise any shareholder, partnership, joint venture, or other rights which the Petitioners may have;
- w) terminate the services of any officer, employee, consultant, representative, advisor, or other persons;
- x) pay any outstanding Wages;
- y) effect any and all corporate governance actions for and on behalf of the Petitioners;
- z) in accordance with the CCAA and this Order, disclaim any contracts to which any of the Petitioners is a party; and

aa) take any steps reasonably incidental to the exercise by the Monitor of the powers listed herein or in the performance of any statutory obligation

and in each case where the Monitor takes any such steps or actions, it shall be exclusively authorized and empowered to do so on behalf of the Petitioners, to the exclusion of all other Persons, including the Petitioners' directors, officers, employees and other representatives and without interference from any other Persons.

4. Notwithstanding anything contained in this Order, the Monitor is not and shall not be deemed to be a director, officer or employee of the Petitioners (or any of them).

#### **PAYMENT OF PRE-FILING OBLIGATIONS**

5. The ARIO is hereby varied by deleting paragraph 5 thereof and replacing it with the following paragraph:

5. The Monitor shall be entitled, but not required, to pay the following expenses which may have been incurred prior to the Order Date:

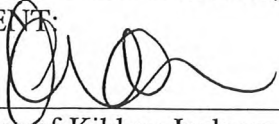
(a) amounts owed to the Petitioners' suppliers up to the aggregate amount of \$500,000, provided that the Monitor is satisfied that such payments are necessary to ensure the continued supply of goods or services that are critical to the construction of the Petitioners' project that is the subject of these proceedings; and

(b) all outstanding wages, salaries, employee and pension benefits (including long and short term disability payments), vacation pay and expenses (but excluding severance pay) payable before or after the Order Date, in each case incurred in the ordinary course of business and consistent with the relevant compensation policies and arrangements existing at the time incurred (collectively, "**Wages**").

**GENERAL**

6. Endorsement of this order by counsel, other than counsel for KingSett, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Kibben Jackson  
Lawyer for KingSett

Lisa Hiebert

BY THE COURT



REGISTRAR



**Schedule "A"**

**LIST OF COUNSEL**

| <b>Counsel Name</b>                                                      | <b>Party Represented</b>                       |
|--------------------------------------------------------------------------|------------------------------------------------|
| Mary Buttery, K.C. and Christian Garton<br>Guy Miller (Articled Student) | AlixPartners Restructuring, Inc. (the Monitor) |
| Chris Ramsay, Simon Wu                                                   | The Petitioners                                |
|                                                                          |                                                |
|                                                                          |                                                |