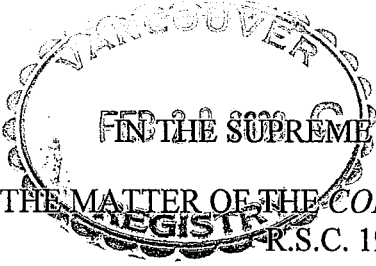


No. S1510120
Vancouver Registry



IN THE SUPREME COURT OF BRITISH COLUMBIA
IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,
R.S.C. 1985, c. C-36, as amended

AND

IN THE MATTER OF THE BUSINESS CORPORATIONS ACT,
S.B.C. 2002, c. 57, as amended

AND

IN THE MATTER OF THE PLAN OF COMPROMISE AND ARRANGEMENT
OF NEW WALTER ENERGY CANADA HOLDINGS, INC.,
NEW WALTER CANADIAN COAL CORP., NEW BRULE COAL CORP.,
NEW WILLOW CREEK COAL CORP., NEW WOLVERINE COAL CORP.,
and CAMBRIAN ENERGYBUILD HOLDINGS ULC

PETITIONERS

NOTICE OF APPLICATION

Name of applicant: KPMG Inc. (the "**Monitor**"), in its capacity as Monitor of the Petitioners.

To: The Service List attached hereto as Schedule "A".

TAKE NOTICE that an application will be made by the applicant to The Honourable Madam Justice Fitzpatrick at the courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia, on February 25, 2020 at 9:00 a.m. for the order set out in Part 1 below.

Part 1: ORDER SOUGHT

1. An order, substantially in the form attached hereto as Schedule "B":
 - (a) abridging the time for service of this Notice of Application such that the Notice of Application is properly returnable on the date set forth above and service hereof upon any interested party other than those parties on the service list maintained by the Monitor in this proceeding is dispensed with;

- (b) approving the activities of the Monitor as set forth in the Monitor's Twentieth Report to the Court dated November 2, 2018, the Monitor's Twenty-First Report dated February 20, 2019, the Monitor's Twenty-Second Report dated April 26, 2019, the Monitor's Twenty-Third Report dated August 8, 2019, the Monitor's Twenty-Fourth Report dated November 14, 2019 and the Monitor's Twenty-Fifth Report to the Court dated February 19, 2020 (collectively, the "**Reports**");
- (c) approving the fees and disbursements of the Monitor for the period from May 1, 2018 to and including January 31, 2020 (the "**Fee Approval Period**") in the amount of \$829,049.00 in respect of fees and \$19,473.53 in respect of disbursements, plus applicable taxes;
- (d) approving the Monitor's estimated further fees and disbursements of approximately \$70,000 (inclusive of taxes) for the period from February 1, 2020 to the completion of this matter, assuming the application for the Monitor's discharge is not opposed;
- (e) approving the fees and disbursements of the Monitor's legal counsel, McMillan LLP ("**McMillan**"), for the Fee Approval Period in the amount of \$330,253.50 in respect of fees and \$4,891.32 in respect of disbursements, plus applicable taxes;
- (f) approving McMillan's estimated further fees and disbursements of approximately \$40,000 (inclusive of taxes), for the period from February 1, 2020 to the completion of this matter, assuming the application for the Monitor's discharge is not opposed; and
- (g) approving the estimated fees and disbursements of the Monitor and McMillan of approximately \$25,000 (inclusive of taxes) in relation to the Monitor performing certain duties following its discharge.

2. Such further and other relief as this Honourable Court may deem just.

Part 2: FACTUAL BASIS

1. The Monitor was appointed pursuant to an Order of this Honourable Court made on December 7, 2015 (the “**Initial Order**”). The Initial Order granted a stay of proceedings until January 6, 2016 or such later date as this Honourable court may order (the “**Stay Period**”). The terms of the Initial Order, including the Stay Period, subsequently have been extended by further Orders of the Court, most recently to February 28, 2020.
2. By Orders dated July 3, 2018:
 - (a) the Petitioner’s Amended and Restated Plan of Compromise and Arrangement dated June 22, 2018 (the “**Amended Plan**”) was sanctioned by the Court; and
 - (b) the Court approved the activities of the Monitor described in its first 19 reports, as well as the fees and disbursements of the Monitor and the fees and disbursements of McMillan for the period from the commencement of these proceedings to and including April 30, 2018.
3. The Amended Plan was implemented as of April 24, 2019.
4. The activities of the Monitor for the Fee Approval Period in furtherance of its duties under the Initial Order and subsequent Orders, including in connection with the Amended Plan, included but were not limited to:
 - (a) participating in discussions and negotiations with stakeholders and assisting Walter Canada in developing a comprehensive plan of compromise and arrangement;
 - (b) undertaking the activities required to be performed by the Monitor pursuant to the Meeting Order;
 - (c) supporting Walter Canada’s application for the Sanction Order;
 - (d) assisting Walter Canada in preparing and filing its 2017 and 2018 tax returns and assisting Walter Canada in preparing its 2019 tax returns;

- (e) assisting Walter Canada in satisfying the conditions precedent to implementation of the Plan, including liaising and working with Canada Revenue Agency in order to obtain the CRA Letter, which was one of the material conditions precedent to the Plan;
- (f) liaising and working with Service Canada in respect of its review of EI benefit overpayments;
- (g) following Plan implementation, making the distributions pursuant to the Plan, including the Employee Distribution;
- (h) assisting Walter Canada and its advisors and the CRO in developing a plan for and implementing the orderly wind up of the Remaining UK Entities;
- (i) performing all cash management functions for Walter Canada, including maintaining bank accounts for each entity and attending to cash receipt, disbursement, banking and investment activities, as well as maintaining accounting records, fulfilling GST/HST filing requirements, and the preparation of annual financial statements;
- (j) reporting to this Honourable Court, as required from time to time, in respect of the foregoing and other matters pertaining to the CCAA Proceedings, including preparing and filing seven Monitor's reports (up to January 31, 2020), and attending at Court hearings in respect of applications made by Walter Canada; and
- (k) attending to various other normal and customary matters in connection with these CCAA Proceedings, as required.

The activities of the Monitor are described in more detail in the Reports.

5. The fees billed, and disbursements incurred, by the Monitor in the performance of its duties during the Fee Approval Period totalled \$848,522.53. The fees and disbursements of McMillan totalled \$335,144.82.

6. The Monitor is of the view that the work performed by the Monitor was necessary and appropriate in the circumstances, and that the fees and disbursements charged by McMillan in respect of services provided to the Monitor were reasonable in the circumstances.
7. The fees and disbursements of the Monitor and its legal fees have been reviewed and approved throughout the Fee Approval Period by William E. Aziz in his capacity as court-appointed Chief Restructuring Officer to the Petitioners. In the view of Mr. Aziz, all accounts were fair and reasonable.

Part 3: LEGAL BASIS

1. The Monitor relies on:
 - (a) the CCAA;
 - (b) the *Bankruptcy and Insolvency Act*, R.S.C 1985, c. B-3, as amended, including section 39;
 - (c) Rules 8-1 of the *Supreme Court Civil Rules*; and
 - (d) the inherent jurisdiction of this Honourable Court.
2. The work performed by the Monitor and its legal counsel was done pursuant to, and in accordance with, the terms of the Initial Order and the August 16, 2016 Order of this Honourable Court, which (among other things) enhanced the powers of the Monitor to include cash management functions on behalf of the Petitioners.
3. The Initial Order provides at paragraph 44 that the Monitor and its legal counsel shall pass their accounts from time to time, and that the approval of such accounts may be dealt with on a summary basis. The accounts of the Monitor and McMillan are attached as exhibits to the 1st Affidavit of Anamika Gadia to be sworn and the 1st Affidavit of Vicki Tickle sworn February 19th, 2020 respectively.

Part 4: MATERIAL TO BE RELIED ON

1. Twenty-Fifth Report of the Monitor dated February 19, 2020;
2. 1st Affidavit of Anamika Gadia to be sworn;
3. 1st Affidavit of Vicki Tickle made February 19, 2020; and
4. Such further and other material as counsel may advise and this Honourable Court may permit.

The Monitor estimates that the application will take 15 minutes.

This matter is not within the jurisdiction of a master. Madam Justice Fitzpatrick is seized of this matter.

TO THE PERSONS RECEIVING THIS NOTICE OF APPLICATION: If you wish to respond to this notice of application, you must, within 5 business days after service of this notice of application or, if this application is brought under Rule 9-7, within 8 business days after service of this notice of application,

- (a) file an application response in Form 33,
- (b) file the original of every affidavit, and of every other document, that
 - (i) you intend to refer to at the hearing of this application, and
 - (ii) has not already been filed in the proceeding, and
- (c) serve on the applicant 2 copies of the following, and on every other party of record one copy of the following:
 - (i) a copy of the filed application response;
 - (ii) a copy of each of the filed affidavits and other documents that you intend to refer to at the hearing of this application and that has not already been served on that person;

- (iii) if this application is brought under Rule 9-7, any notice that you are required to give under Rule 9-7 (9).

Date: February 19, 2020



Signature of Vicki Tickle
Lawyer for the Monitor

To be completed by the court only:

Order made

in the terms requested in paragraphs _____ of Part 1 of this notice of application

with the following variations and additional terms:

Date: [dd/mmm/yyyy]

Signature of Judge Master

Appendix

[The following information is provided for data collection purposes only and is of no legal effect.]

THIS APPLICATION INVOLVES THE FOLLOWING:

[Check the box(es) below for the application type(s) included in this application.]

- discovery: comply with demand for documents
- discovery: production of additional documents
- other matters concerning document discovery
- extend oral discovery
- other matter concerning oral discovery
- amend pleadings
- add/change parties
- summary judgment
- summary trial
- service
- mediation
- adjournments
- proceedings at trial
- case plan orders: amend
- case plan orders: other
- experts

SCHEDULE "A"

SERVICE LIST

SERVICE LIST
(as of November 5, 2019)

<p>Osler, Hoskin & Harcourt LLP Box 50, 1 First Canadian Place Toronto, ON M5X 1B8</p> <p>Marc Wasserman Email: mwasserman@osler.com Tel: 416-862-4908</p> <p>Mary Paterson Email: mpaterson@osler.com Tel: (416) 862-4924</p> <p>Emmanuel Pressman Email: epressman@osler.com</p> <p>Sean Stidwill Email: sstidwill@osler.com Tel: (416) 862-4871</p> <p>Andrea Lockhart Email: alockhart@osler.com Tel: (416) 862-6829</p> <p>Anne-Marie Runca Email: amrunca@osler.com</p> <p>Waleed Malik Email: wmalik@osler.com Tel: (416) 862-6640</p>	<p>Counsel for the Petitioners</p>
<p>Longview Communications Inc. Suite 612 – 25 York Street Toronto, ON M5J 2V5</p> <p>Joel Shaffer Email: jshaffer@longviewcomms.ca</p> <p>Suite 2028 – 1055 West Georgia Vancouver, BC V6E 3P3</p> <p>Alan Bayless Email: abayless@longviewcomms.ca</p> <p>Robin Fraser Email: rfraser@longviewcomms.ca</p>	<p>Communications Advisor to the Petitioners</p>

<p>KPMG Inc. PO Box 10426 777 Dunsmuir Street Vancouver, BC V7Y 1K3</p> <p>Anamika Gadia Email: agadia@kpmg.ca</p> <p>David Slocombe dslocombe@kpmg.ca</p> <p>George Bourikas gbourikas@kpmg.ca</p>	<p>Monitor</p>
<p>McMillan LLP Royal Centre, 1055 West Georgia Street Suite 1500, PO Box 11117 Vancouver, BC V6E 4N7</p> <p>Wael Rostom Email: wael.rostom@mcmillan.ca Tel. 416-865-7790</p> <p>Peter Reardon Email: peter.reardon@mcmillan.ca</p> <p>Vicki Tickle Email: vicki.tickle@mcmillan.ca</p> <p>Copy to: Tamera Scheer Email: tamera.scheer@mcmillan.ca</p>	<p>Counsel to KPMG Inc.</p>
<p>Walter Energy, Inc. 3000 Riverchase Galleria Birmingham, AL 35244</p>	<p>Parent company of the Petitioners</p>
<p>Paul, Weiss, Rifkind, Wharton & Garrison LLP 1285 Avenue of the Americas New York, NY 10019</p> <p>Fax: 212-757-3990 Tel: 212-373-3000</p> <p>Stephen Shimshak,</p>	<p>Counsel to Walter Energy, Inc.</p>

<p>Email: sshimshak@paulweiss.com</p> <p>Kelly Cornish, Email: kcornish@paulweiss.com</p> <p>Claudia Tobler Email: ctobler@paulweiss.com</p> <p>Daniel Youngblut Email: dyoungblut@paulweiss.com</p>	
<p>White & Case LLP 1155 Avenue of the Americas New York, NY 10036-2787</p> <p>Fax: 212.819.8200 Tel: 212.819.8567</p> <p>Scott Greissman Email: sgreissman@whitecase.com</p> <p>Elizabeth Feld Email: efeld@whitecase.com</p>	<p>US Counsel to Morgan Stanley Senior Funding, Inc., as Administrative Agent and Collateral Agent under the First Lien Credit Facility</p>
<p>Stikeman Elliott LLP 199 Bay Street, Suite 4900 Toronto, ON M5L 1B9</p> <p>Tel: 416-869-6820 Fax: 416-947-9477</p> <p>Sanja Sopic Email: ssopic@stikeman.com</p>	<p>Canadian Counsel to Morgan Stanley Senior Funding, Inc., as Administrative Agent and Collateral Agent under the First Lien Credit Facility</p>
<p>Akin Gump Strauss Hauer & Feld LLP One Bryant Park Bank of America Tower New York, NY 10036-6745</p> <p>Fax: 212-872-1002 Tel: 212-872-8076</p> <p>Ira Dizengoff, Email: idizengoff@akingump.com</p> <p>Lisa G. Beckerman,</p>	<p>U.S. Counsel to Warrior Met Coal, Inc.</p>

<p>Email: lbeckerman@akingump.com</p> <p>Maurice L. Brimmage Email: mbrimmage@akingump.com</p> <p>James Savin Email: jsavin@akingump.com</p>	
<p>Cassels Brock & Blackwell LLP 2200 HSBC Building 885 West Georgia Street Vancouver, BC V6C 3E8</p> <p>Fax: 604 691 6120 Tel: 604 691 6121</p> <p>Ryan Jacobs Email: rjacobs@casselsbrock.com</p> <p>Natalie Levine Email: nlevine@casselsbrock.com</p> <p>Matthew Nied Email : mnied@casselsbrock.com</p>	<p>Canadian Counsel to Warrior Met Coal, Inc.</p>
<p>Victory Square Law Office 710 – 777 Hornby Street Vancouver, BC V6Z 1S4</p> <p>Craig Bavis Email: cbavis@vslo.bc.ca</p> <p>Tel: 604-684-8421 Fax : 604-684-8427</p> <p>Jeff Sanders Email: j.sanders@vslo.bc.ca</p>	<p>Canadian Counsel to the United Steelworkers, Local 1-424</p>
<p>Dentons Canada LLP 20th Floor, 250 Howe Street Vancouver, BC V6C 3R8</p> <p>John R. Sandrelli Email: john.sandrelli@dentons.com Tel : 604-443-7132</p>	<p>Canadian Counsel to the United Mine Workers of America 1974 Pension Plan and Trust</p>

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<p>Morgan Lewis & Bockius LLP One Federal St. Boston, MA 02110-1726</p> <p>Julia Frost-Davies Email: julia.frost-davies@morganlewis.com</p> <p>Morgan Lewis & Bockius LLP 1701 Market St. Philadelphia, PA 19103-2921</p> <p>John C. Goodchild, III Email: john.goodchild@morganlewis.com</p> <p>Rachel Jaffe Mauceri Email: rmauceri@morganlewis.com</p>	<p>US Counsel to the United Mine Workers of America 1974 Pension Plan and Trust</p>
<p>Mooney, Green, Saindon, Murphy & Welch, P.C. 1920 L Street, NW, Suite 400 Washington, DC 20036</p> <p>Paul Green Email: pgreen@mooneygreen.com</p> <p>John Mooney Email: jmooney@mooneygreen.com</p>	<p>US Co- counsel to the United Mine Workers of America 1974 Pension Plan and Trust</p>
<p>Ministry of Justice and Attorney General Legal Services Branch P.O. Box 9289 Stn Prov Govt 4th Floor – 1675 Douglas Street Victoria, BC V8W 9J7</p> <p>Fax: 250-387-0700</p> <p>David Hatter Tel: 250-387-1274 Email: David.Hatter@gov.bc.ca AGLSBRevTax@gov.bc.ca</p>	<p>Counsel to Her Majesty the Queen in right of the Province of British Columbia</p>

<p>Aaron Welch Tel: 250-356-8589 Email: Aaron.Welch@gov.bc.ca AGLSBRevTax@gov.bc.ca</p>	
<p>Department of Justice Government of Canada 900 – 840 Howe Street Vancouver, BC V6Z 2S9</p> <p>Neva Beckie Email: neva.beckie@justice.gc.ca</p>	<p>Counsel to Her Majesty the Queen in right of Canada</p>
<p>Blue Tree Advisors 32 Shorewood Place Oakville, ON L6K 3Y4</p> <p>William E. Aziz Email: baziz@bluetreadvisors.com</p>	<p>Chief Restructuring Officer</p>
<p>Miller Thomson LLP Scotia Plaza 40 King Street West, Suite 5800 P.O. Box 1011 Toronto, ON M5H 3S1</p> <p>Jeffrey Carhart Email: jcarhart@millerthomson.com</p>	<p>Counsel to Mitsui Matsushima Co., Ltd.</p>
<p>Norton Rose Fulbright Canada LLP 1800 – 510 W. Georgia Street Vancouver, BC V6B 0M3</p> <p>Kieran Siddall Email: Kieran.siddall@nortonrosefulbright.com</p>	<p>Counsel to Pine Valley Mining Corporation</p>

<p>Miller Thomson LLP Barristers and Solicitors 840 Howe Street, Suite 1000 Vancouver, BC V6Z 2M1</p> <p>Heather L. Jones Tel. 604-643-1231 (direct) Tel. 604-687-2242 (main) Email: hjones@millertomson.com</p>	<p>Counsel to Kevin James</p>
<p>Caterpillar Financial Services Limited 5575 North Service Road, Suite 600 Burlington, ON L7L 6M1</p> <p>c/o Caterpillar Financial Services Corporation (Global Headquarters) 2120 West End Avenue Nashville, TN 37207</p> <p>Fax: 615-341-8578 Main Phone Line: 1-800-651-0567</p>	
<p>Transportation Lease Systems Inc. 205, 10458 Mayfield Road Edmonton, AB T5P 4P4</p>	
<p>XEROX Canada Ltd. 33 Bloor St. E., 3rd Floor Toronto, ON M4W 3H1</p> <p>Stephanie Grace Email: stephanie.grace@xerox.com</p>	
<p>Brandt Tractor Ltd. 9500 190th ST. Surrey, BC V4N 3S2</p>	
<p>Conuma Coal Resources Limited 15 Appledore Lane, P.O. Box 87 Natural Bridge, VA 24578</p> <p>Tom Clarke Email: tom.clarke@kissito.org</p> <p>Chuck Ebetino Email: cebetino@erpfuels.com</p>	<p>Purchaser</p>

<p>Jason McCoy Email: jmccoy@erpfuels.com</p> <p>Bill Hunter Email: whunter1@optonline.net</p> <p>Robert Carswell Email: bobcarswellus@outlook.com Joe Bean (ERP Internal Counsel) Email: jowabean@gmail.com</p> <p>Conuma Coal Resources Limited P.O. Box 305 Madison, WV 25130</p> <p>Ken McCoy Email: kmccoy@erpfuels.com</p>	
<p>Dentons Canada LLP 15th Floor, Bankers Court 850 – 2nd Street SW Calgary, AB T2P 0R8</p> <p>David Mann Email: david.mann@dentons.com</p>	<p>Counsel for Conuma Coal Resources Limited (Purchaser) and Guarantors</p>
<p>ERP Compliant Fuels, LLC ERP Compliant Coke, LLC Seneca Coal Resources, LLC Seminole Coal Resources, LLC</p> <p>Tom Clarke Email: tom.clarke@kissito.org</p>	<p>Guarantors</p>
<p>Lamarche & Lang 505 Lambert Street Whitehorse, YK Y1A 1Z8</p> <p>Murray J. Leitch Email: mleitch@lamarchelang.com</p>	<p>Counsel for Pelly</p>

<p>Parkland Fuel Corporation #5101, 333 – 96th Avenue NE Calgary, AB T3K 0S3</p> <p>Christy Elliott Email: Christy.elliott@parkland.ca</p>	<p>Legal Counsel for Parkland</p>
<p>Canada Anglo American</p> <p>Federico G. Velásquez Email: Federico.velasquez@angloamerican.com</p>	
<p>Malaspina Consultants</p> <p>Marianna Pinter Email: Marianna@malaspinaconsultants.com</p>	
<p>Boale Wood</p> <p>John McEown Email: jmceown@boalewood.ca</p>	
<p>Fasken Martineau</p> <p>John Grieve Email: jgrieve@fasken.com</p>	<p>Legal Counsel for Boale Wood</p>
<p>Cavalon Capital Corp. 436 Lands End Rd. North Saanich, BC V8L 5L9 Tel: 778-426-3329 Fax: 778-426-0544</p> <p><u>Managing Directors</u></p> <p>David Tonken Email: tonken@icrossroads.com</p> <p>Greg Matthews Email : gregmatthews@shaw.ca</p>	

SCHEDULE "B"
DRAFT FORM OF ORDER

IN THE SUPREME COURT OF BRITISH COLUMBIA

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

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*,
S.B.C. 2002, c. 57, as amended

AND

IN THE MATTER OF THE PLAN OF COMPROMISE AND ARRANGEMENT
OF NEW WALTER ENERGY CANADA HOLDINGS, INC.,
NEW WALTER CANADIAN COAL CORP., NEW BRULE COAL CORP.,
NEW WILLOW CREEK COAL CORP., NEW WOLVERINE COAL CORP.,
and CAMBRIAN ENERGYBUILD HOLDINGS ULC

PETITIONERS

ORDER MADE AFTER APPLICATION

BEFORE) THE HONOURABLE)
) MADAM JUSTICE FITZPATRICK) February 25, 2020
))
))

ON THE APPLICATION of KPMG Inc., in its capacity as Monitor of the Petitioners (the "**Monitor**"), dated February 19, 2020, coming on for hearing at Vancouver, British Columbia on February 25, 2020, AND ON HEARING Vicki Tickle, counsel for the Monitor, and [Marc Wasserman and Mary Paterson], counsel for the Petitioners, and those other counsel listed in Schedule "A" hereto; AND UPON READING the material filed, including the Twenty-Fifth Report of the Monitor dated February 19, 2020;

THIS COURT ORDERS that:

1. The time for service of the Notice of Application and supporting materials is hereby abridged such that the Notice of Application is properly returnable today and service thereof upon any interested party other than those parties on the service list maintained by the Monitor in this proceeding is hereby dispensed with.
2. The activities of the Monitor as described in the Twentieth Report of the Monitor dated November 2, 2018, the Twenty-First Report of the Monitor dated February 20, 2019, the Twenty-Second

Report of the Monitor dated April 26, 2019, the Twenty-third Report of the Monitor dated August 8, 2019, the Twenty-Fourth report of the Monitor dated November 14, 2019, and the Twenty-Fifth Report of the Monitor dated February 19, 2020 are hereby approved.

3. The Monitor's fees in the amount of \$829,049.00 and disbursements in the amount of \$19,473.53, plus applicable taxes, for the period from May 1, 2018 to and including January 31, 2020 (the "**Fee Approval Period**") are hereby approved.
4. The estimated further fees and disbursements of the Monitor for the period from February 1, 2020 to the completion of this matter, of approximately \$70,000.00 (inclusive of taxes), are hereby approved.
5. The fees of the Monitor's legal counsel, McMillan LLP ("**McMillan**"), in the amount of \$330,253.50 and the disbursements of McMillan in the amount of \$4,891.32, plus applicable taxes, for the Fee Approval Period are hereby approved.
6. The estimated further fees and disbursements of McMillan for the period from February 1, 2020 to the completion of this matter, of approximately \$40,000.00 (inclusive of taxes), are hereby approved;
7. The estimated fees and disbursements of the Monitor and McMillan of approximately \$25,000.00 (inclusive of taxes) in relation to the Monitor performing certain duties following its discharge, are hereby approved;
8. Endorsement of this Order by counsel appearing on this application, other than counsel for the Monitor, 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 Vicki Tickle
Lawyer for KPMG Inc. in its capacity as Monitor of the Petitioners

By the Court.

Registrar

SCHEDULE "A"

List of Counsel

Name of Counsel	Party