



NO. S-1510120  
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

**ORDER MADE AFTER APPLICATION  
(Stay Extension & Energybuild Order)**

BEFORE THE HONOURABLE  
MADAM JUSTICE FITZPATRICK

)  
) **WEDNESDAY**, THE 13TH DAY OF  
) DECEMBER, 2017

ON THE APPLICATION of the Petitioners coming on for hearing at Vancouver, British Columbia, on the 13th day of December, 2017; AND ON HEARING Marc Wasserman and Patrick Riesterer, counsel for the Petitioners, Peter Reardon, counsel for KPMG Inc. and those other counsel listed on **Schedule "A"** hereto; AND UPON READING the material filed, including the 16<sup>th</sup> Affidavit of William E. Aziz sworn December 7, 2017, 17<sup>th</sup> Confidential Affidavit of William E. Aziz sworn December 7, 2017 (the "**Confidential Aziz Affidavit**") and the Fourteenth Report of KPMG Inc. in its capacity as Monitor dated December 7, 2017;

THIS COURT ORDERS AND DECLARES THAT:

**SERVICE AND DEFINITIONS**

1. The time for service of the notice of application for this order is hereby abridged and deemed good and sufficient and this application is properly returnable today.
2. All capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Initial Order in these proceedings dated December 7, 2015 (the "**Initial Order**").

**ENERYBUILD OFFER LETTER**

3. The Petitioners are hereby authorized but not directed to take any steps necessary to direct Energybuild Ltd. to enter into the offer letter provided by Speciality Carbons Limited, substantially in the form attached to the Confidential Aziz Affidavit, and to take such additional steps and execute such additional documents as may be necessary or desirable to advance the negotiation and documentation of the transaction set out therein.

**LOAN TO ENERGYBUILD ENTITIES**

4. Cambrian Energybuild Holdings ULC is hereby authorized, but not directed, to make such further loan or loans to Energybuild Group Limited or Energybuild Ltd., on a secured basis, to provide working capital to Energybuild Ltd. not to exceed an aggregate amount of £1,100,000, including the £900,000.00 loaned to pursuant to earlier orders of this Court.

**STAY EXTENSION**

5. The Stay Period, as defined in paragraph 18 of the Initial Order, is hereby further extended up to and including February 28, 2018.

**GENERAL**

6. Endorsement of this Order by counsel appearing, other than counsel for the Petitioners, is hereby dispensed with.

THIS COURT REQUESTS the aid and recognition of other Canadian and foreign Courts, tribunals, regulatory or administrative bodies, including any Court or administrative tribunal of any Federal or State Court or administrative body in the United States of America, to act in aid of and to be complementary to this Court in carrying out the terms of this Order where required. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Petitioners and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Petitioners and the Monitor and their respective agents in carrying out the terms of this Order.

BY THE COURT

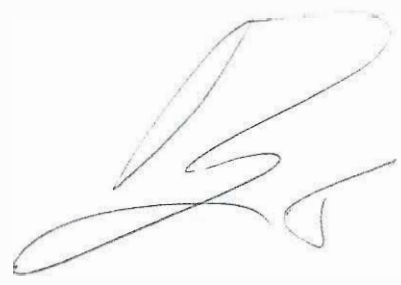
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ENDORSEMENTS ATTACHED



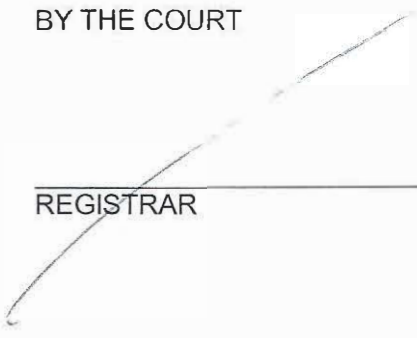

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

  
\_\_\_\_\_  
Patrick Riesterer  
Counsel for the Petitioners



BY THE COURT

\_\_\_\_\_  
REGISTRAR

# SCHEDULE "A"

## COUNSEL LIST

NAME	PARTY REPRESENTED
Jeff Sanders	Steel workers
Heather Jones	Kevin James
Matthew Nies	Warrior Met Coal, Inc.

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HOLDINGS, INC., NEW WALTER CANADIAN COAL CORP.,  
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CORP., NEW WOLVERINE COAL CORP. AND CAMBRIAN  
ENERGYBUILD HOLDINGS ULC

PETITIONERS

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**ORDER MADE AFTER APPLICATION**  
**(Stay Extension Order)**

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