



COURT FILE NO. VLC-S-S-234019
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF THE RECEIVERSHIP OF
BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.

AND

BUSINESS DEVELOPMENT BANK OF CANADA

PLAINTIFF

BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.
FRASER MILLS FERMENTATION COMPANY LTD.
IAN DONALD MACKERRICHER
MICHAEL EDWARD DRUCE
DANIEL JOSEPH PARENT
STEPHEN PAUL SHELDON
WARREN TODD BOYER

DEFENDANTS

ORDER MADE AFTER APPLICATION

DISCHARGE ORDER

BEFORE THE HONOURABLE JUSTICE)

MAYER)

) WEDNESDAY, JUNE 26, 2024
)

THE APPLICATION of BDO Canada Limited (the "Receiver") in its capacity as Court-appointed Receiver of the assets, undertakings and properties of Beyond the Grape On Premises Winemaking Ltd. coming on for hearing at Vancouver, British Columbia, on the 26th day of June, 2024; AND ON HEARING Sherryl Dubo, counsel for the Receiver, and those other counsel as

may be listed on **Schedule "A"** hereto; AND UPON READING the material filed, including the First Report of the Receiver dated October 20, 2023, the Final Report of the Receiver dated May 29, 2024 (the "**Report**") and the Affidavit #1 of Chris Bowra sworn and filed herein (the "**Affidavit**");

THIS COURT ORDERS AND DECLARES THAT:

1. The activities of the Receiver, as set out in the Report, are hereby approved.
2. The fees and disbursements of the Receiver and its counsel, as set out in the Report and the Affidavit, including the estimate of fees to conclude matters, are hereby approved.
3. After payment of the fees and disbursements of the Receiver as herein approved, the Receiver shall pay all funds remaining in its hands to Business Development Bank and Royal Bank of Canada in accordance with the distribution set forth in the Report.
4. Upon payment of the amounts set out in paragraph 3 hereof, the Receiver shall be discharged as Receiver of the assets, undertaking and property of the Debtor, provided that notwithstanding its discharge herein: (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein; and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of BDO Canada Limited in its capacity as Receiver.
5. BDO Canada Limited is hereby released and discharged from any and all liability that BDO Canada Limited now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of BDO Canada Limited while acting in its capacity as Receiver herein. Without limiting the generality of the foregoing, BDO Canada Limited is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings.

6. Notwithstanding any provision herein, this Order shall not affect any person to whom notice of these proceedings was not delivered as required by the *Bankruptcy and Insolvency Act* and regulations thereto, any other applicable enactment or any other Order of this Court.

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 Sherryl Dubo
Counsel for the Receiver

BY THE COURT



REGISTRAR

Schedule A – List of Counsel

Counsel	Party

Action No. VLC-S-S-234019
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA
In the Matter of the Receivership of
BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.

BETWEEN:

BUSINESS DEVELOPMENT BANK OF CANADA

Plaintiff

- and -

BEYOND THE GRAPE ON PREMISE WINEMAKING LTD.
FRASER MILLS FERMENTATION COMPANY LTD.
IAN DONALD MACKERRICHER
MICHAEL EDWARD DRUCE
DANIEL JOSEPH PARENT
STEPHEN PAUL SHELDON
WARREN TODD BOYER

Defendants

ORDER MADE AFTER APPLICATION
(Distribution, Fee Approval and Discharge)

FILE NO. 4701-107

SAD/

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