

COURT FILE NUMBER 2001-06722  
COURT COURT OF KING'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
PLAINTIFF HSBC CANADA, AS AGENT  
DEFENDANT Q'MAX SOLUTIONS INC., FLUID HOLDINGS CORP.,  
Q'MAX SOLUTIONS HOLDINGS INC., 1356760 ALBERTA  
LTD. and QMAX CANADA OPERATIONS INC.



DOCUMENT **ORDER**  
**(Procedural Consolidation)**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
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**DATE ON WHICH ORDER WAS PRONOUNCED:** March 20, 2024

**LOCATION WHERE ORDER WAS PRONOUNCED:** Calgary, Alberta

**NAME OF JUSTICE WHO MADE THIS ORDER:** Madam Justice B. Johnston

**UPON THE APPLICATION** of KPMG Inc. in its capacity as Court-appointed receiver and manager (the “**Receiver**”) of Q’Max Solutions Inc., Fluid Holdings Corp., Q’Max Solutions Holdings Inc., 1356760 Alberta Ltd. and QMax Canada Operations Inc. (collectively, the “**Debtors**”); **AND UPON** having read the Consent Receivership Order granted by the Honourable Madam Justice A.D. Grosse on May 28, 2020 (the “**Receivership Order**”), the Confidential Supplement (the “**Confidential Supplement**”) to the Fourth Report of the Receiver, dated March 11, 2024 (the “**Fourth Report**”), the Fourth Report, and the Affidavit of Service of Elena Pratt, sworn March 19, 2024; **AND UPON** hearing from counsel for the Receiver and any other interested parties that may be present;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

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. The Receiver shall be and is hereby authorized *nunc pro tunc*, effective as of the date of the Receivership Order, to administer the Debtors' estates as if such estates were in respect of a single receivership proceeding for the purposes of carrying out its duties and responsibilities as Receiver under the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3, as amended (the "BIA") (the "**Consolidated Proceedings**"), including, without limitation, the Receiver is authorized to:
  - (a) administer the Debtors' estates under a single court file number and title of proceeding;
  - (b) convene meetings of creditors of the Debtors through one combined advertisement and conducting such meetings jointly provided that the results of any creditors' vote shall be separately tabulated for each such estate;
  - (c) issue consolidated reports in respect of the Debtors;
  - (d) deal with all filings and notices relating to the receivership of the Debtors, each as required under the BIA, on a consolidated basis.
  - (e) maintain a consolidated bank account with respect to the Debtors' respective estates; and
  - (f) perform a consolidated making, filing, advertising and distribution of all filings and notices in the estates of the Debtors as same may be required under the BIA.
3. The Consolidated Proceedings are not a substantive consolidation of the Debtors' estates.
4. The Consolidated Proceedings do not:
  - (a) affect the separate legal status of the corporate structure of each of the Debtors;

- (b) cause any of the estates of the Debtors to be liable for any claim for which it is otherwise not liable, or cause any of the Debtors to have any interest in any asset which it otherwise would not have; or
- (c) affect the estates of the Debtors for filing obligations under the BIA.

*BB Johnston*

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Justice of the Court of ~~Queen's~~ Bench of Alberta  
Kings