

ENRIQUE SANTOS URZOLA
Traductor Oficial / Certified Translator
Certificado de Idoneidad No. 587 de septiembre del 2023
Bogotá, Colombia

TRADUCCIÓN OFICIAL No. LG-8

Yo, Enrique Santos Urzola, por la presente certifico que soy traductor profesional, debidamente autorizado por el Gobierno de Colombia y competente en los idiomas español e inglés.

Asimismo, certifico que he traducido al inglés el documento que se indica a continuación, siendo esta traducción una versión fiel y exacta en inglés del texto que me fue entregado electrónicamente en español.

- **Memorial presentado por el apoderado judicial de Macquarie Bank Ltd. ante la Superintendencia de Sociedades, mediante el cual se pronuncia sobre un auto procesal y solicita el aplazamiento de una audiencia dentro de un trámite de reconocimiento de proceso extranjero de insolvencia.**

El suscrito traductor no asume responsabilidad alguna respecto del contenido, exactitud, autenticidad o integridad de los documentos electrónicos presentados para traducción.

En fe de lo cual firmo y sello la presente en Bogotá, a los veintidós días (22) días del mes de enero de dos mil veintiséis (2026).



Enrique Santos Urzola
Traductor e Intérprete Oficial
INGLES — ESPAÑOL — INGLES
Certificado de Idoneidad No. 587 del 7 de Septiembre de 2023

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Gentlemen,

Superintendency of Companies

Santiago Londoño Correa

Delegated Superintendent for Insolvency Proceedings

E. S. D

Re: Application for Recognition of a Foreign Proceeding of Canacol Energy Colombia S.A.S., CNE Oil & Gas S.A.S., Cantana Energy – Colombia Branch, and CNEOG Colombia – Colombia Branch

Case File No.: 40197

Subject: Submission regarding Order No. 2026-01-018637 of January 19, 2026 – Request to postpone the hearing of January 22, 2026 convened by Order No. 2026-01-015304 of January 15, 2026

I, **Juan Sebastián Lombana Sierra**, of legal age, domiciled in Bogotá D.C., identified with national ID No. 11,233,717 and holder of Professional License No. 161,893 of the Superior Council of the Judiciary, acting in my capacity as judicial attorney for **MACQUARIE BANK LTD** (hereinafter, “Macquarie”), pursuant to the power of attorney on file in the case record, hereby submit this written statement in relation to Order No. 2026-01-018637 of January 19, 2026, notified by electronic docket on January 20, 2026 (the “Order”), as follows:

First. although the Order informs the interested parties in the referenced proceeding of the memorandum filed by counsel for KPMG Inc. (“KPMG” or the “Foreign Representative”) on January 16, 2026, under filing No. 2026-01-015984, it must be emphasized that such filing was manifestly untimely, particularly given that the hearing scheduled by the Superintendency to hear the parties on these matters is set to take place only two days later.

As the Superintendency is well aware, Article 104 of Law 1116 of 2006 imposes on the Foreign Representative the **duty to immediately inform** this authority of any change or relevant circumstance arising in the foreign proceeding. However, the documents disclosed through the Order reveal that KPMG only informed the Delegation on January 16, 2026, of events that occurred on December 8, 2025, which constitutes a clear breach of the aforementioned statutory duty.

Second. The Order disclosing filing No. 2026-01-015984 of January 16, 2026—by which (i) Addendum No. 1 to the DIP Financing Commitment of the Debtors executed on December 8, 2025, and (ii) the amended and restated DIP Financing Commitment executed on January 7, 2026, were submitted—does not coincide with the procedural timeline set for the hearing convened by this authority. The hearing is scheduled to be held in less than two (2) business days, and although the Order does not specify a deadline to comment on the submitted documents, applying by analogy the procedural

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rules of the General Code of Procedure, such period should be no less than three (3) business days, which would expire on Friday, January 23, 2026, that is, after the hearing has already taken place. This circumstance **makes it unavoidable** to reschedule the hearing.

Third. I respectfully request that the Superintendency expressly establish a deadline to comment on the documents that were placed on record, and that such deadline be reasonable and consistent with the applicable legal framework, particularly Article 4 of Law 2437 of 2024, which provides for a minimum transfer period of ten (10) business days. Any shorter period would constitute a violation of due process.

This request is especially warranted considering that the submitted documentation exceeds 160 pages, making it evident that an explicit and reasonable period must be granted for proper review by the interested parties.

Fourth. It should be noted that both Order No. 2026-01-015304 of January 15, 2026, which convened the hearing, and Order No. 2026-01-018637 of January 19, 2026, by which the documents submitted by the Foreign Representative were disclosed, although duly notified by electronic docket, have not been incorporated into the digital case file.

This omission violates due process, since Article 122 of the General Code of Procedure requires that every proceeding contain a complete case file including all procedural acts and documents. Accordingly, a legality control is requested, and the immediate incorporation of such procedural documents is sought in order to guarantee the right to information and defense of all parties.

Accordingly, it is evident that disclosing the documents with less than two (2) business days' prior notice to the hearing—bearing in mind that the order was issued today, January 20—is neither reasonable nor sufficient to allow for an adequate and comprehensive review of such documentation before the hearing is held, particularly when the judicial orders have not yet been incorporated into the case file, without prejudice to the statutory time limits established for such purposes under the applicable legislation.

For these reasons, I respectfully request that: (i) the hearing scheduled by this Office be **rescheduled** to a date after January 22, 2026, given that the documents were made available less than two (2) business days prior to the hearing, which may clearly affect the due process rights of the other interested parties; (ii) an **express transfer period be established** by the Superintendency with respect to such information, in accordance with the applicable law; and (iii) all relevant orders, briefs, and documents **be incorporated into the digital case file** in order to guarantee the right to information of the parties participating in the proceedings, prior to the holding of the hearing.

Respectfully submitted,

[Signed]

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