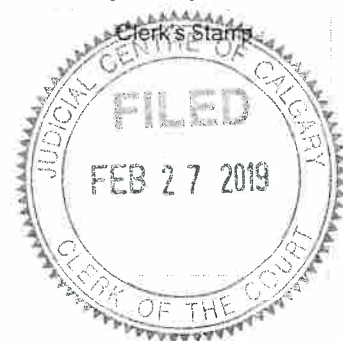


COURT FILE NUMBER 1801-16809  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
APPLICANT ROBERT KULHAWY  
RESPONDENT COMMERX HOLDINGS LLC and LOTUS INNOVATIONS PRIVATE EQUITY FUND also known as LOTUS INNOVATIONS LLC and COMMERX CORPORATION

[Rule 6.3]



DOCUMENT ORDER

I hereby certify this to be a true copy of the original ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT  
Burstall LLP  
Barristers & Solicitors  
1600, 333 – 7 Avenue SW  
Calgary, AB T2P 2Z1

Dated this 27 day of Feb, 2019  
  
for Clerk of the Court

Jason Dutrizac/Jasmin Dhaliwal counsel for the Applicant, Robert Kulhawy  
Telephone: (403) 999-9817  
Fax: (403) 266-6016  
Email: dhaliwal@burstall.com

DATE ON WHICH ORDER WAS PRONOUNCED: February 25 and 26, 2019

LOCATION AT WHICH ORDER WAS MADE: Calgary, AB

NAME OF JUSTICE WHO MADE THIS ORDER: The Honourable Madam Justice C. Dario

**ON THE APPLICATION** of the Applicant, Robert Kulhawy ("**Kulhawy**") filed February 22, 2019; AND UPON reviewing the Affidavit of Robert Kulhawy filed February 22, 2019 ("**Kulhawy Affidavit**"); AND UPON HEARING from counsel for the Applicant Kulhawy and counsel for the Respondents, Commerx Holdings LLC and Lotus Innovations Private Equity Fund also known as Lotus Innovations LLC and Commerx Corporation (the "**Company**" or "**Commerx**") AND UPON being advised of the consent of Balinhard Capital Corporation (the "**DIP Lender**").

**IT IS HEREBY ORDERED THAT:**

1. Time for service of the within application is hereby abridged so that this application is properly returnable today and hereby dispenses with further service thereof.
2. Kulhawy may and is hereby authorized to file a Notice of Intention to Make a Proposal in accordance with the provisions of the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3 ("**BIA**") on behalf of the Commerx.

3. Kulhawy shall serve Super G Capital LLP (“**Super G**”) with a copy of this Order along with copies of the Application and the Affidavit of Robert Kulhawy filed February 22, 2019 by e-mailing a PDF or other electronic copy of such materials to Canadian counsel for Super G, Ms. Bahar Hafizi of BH Legal, by her email address as recorded at Exhibit H to the Kulhawy Affidavit, being [bahar@bhlegal.ca](mailto:bahar@bhlegal.ca).

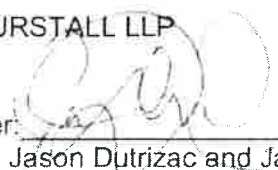
4. The balance of this Application shall be and is hereby adjourned to Thursday, February 28, 2019 at 2pm before the Honourable Madam Justice Dario.

5. The facsimile signatures of all counsel for the parties below shall be sufficient for the Clerk of the Court of Queen’s Bench of Alberta, Judicial Centre of Calgary to enter this Order.

  
Justice of the Court of Queen's Bench of Alberta

**APPROVED AS TO FORM AND CONTENT BY:**

BURSTALL LLP

Per:   
Jason Dutzac and Jasmin Dhaliwal  
Solicitors for the Applicant, Robert Kulhawy

FASKEN MARTINEAU DUMOULIN LLP

Per: \_\_\_\_\_  
Hannah Roskey  
Solicitor for the Respondents, Commerx Holdings LLC And Lotus Innovations Private Equity Fund Also Known As Lotus Innovations LLC