

**SUPERIOR COURT
(Commercial Division)**

**Canada
Province of Québec
District of Montréal**

No.: **500-11-060355-217**
500-11-060356-215

Date: April 14th, 2022

Presiding: Me Vincent-Michel Aubé, Registrar

(JA 0858)

**In the matter of the bankruptcy of:
CHRONOMÉTRIQ INC.
HEALTH MYSELF INNOVATIONS INC.**

Debtors

-and-

RICHTER INC. (FORMERLY RICHTER ADVISORY GROUP INC.)

Trustee-Applicant

ORDER

[1] **HAVING READ** the *Application for Directions* dated April 8th, 2022 (the "**Application**"), the exhibit and the solemn declaration of Andrew Adessky, representative of Richter Inc. (the "**Trustee**" or "**Richter**"), filed in support thereof;

[2] **GIVEN** the submissions of counsel;

[3] **GIVEN** the order rendered on October 27th, 2021 by the Honourable Martin Castonguay, J.S.C., in the context of the notices of intention to make a proposal filed by *Chronométriq Inc.* and *Health Myself Innovations Inc.* (collectively, the "**Debtors**") pursuant to the provision of the *Bankruptcy and Insolvency Act* (the "**BIA**"), authorizing, among other things, charges in favour of the interim lender, the directors and officers and the professionals (the "**First Order**");

[4] **GIVEN** the appeal proceedings filed by *L'Agence du Revenu du Québec* and *The Attorney General of Canada* before the Quebec Court of Appeal (files' Numbers 500-09-029763-216 and 500-09-029765-211) against the First Order (the "**Appeal Proceedings**");

[5] **GIVEN** that the Debtors were deemed to have made an assignment in bankruptcy on December 8th, 2021 and that Richter was appointed as trustee to the bankruptcy of the Debtors;

[6] **GIVEN** that the Trustee is the only party empowered to defend the interests of the Debtors in the Appeal Proceedings;

[7] **GIVEN** that both inspectors in the bankruptcy of the Debtors cannot authorize the Trustee to contest the Appeal Proceedings, pursuant to section 30(1)d) of the BIA, since they both took the position that they were in conflict of interest as they are parties in the Appeal Proceedings;

[8] **GIVEN** that no specific provision of the BIA provides for the situation where all of the appointed inspectors have a conflict of interest that prevents them from giving instructions to the trustee;

[9] **GIVEN** it is appropriate that the position and considerations of the Debtors be argued before the Quebec Court of Appeal in the context of the Appeal Proceedings;

[10] **GIVEN** there is no opposition to the Application;

[11] **GIVEN** the sections 30, 34 and 192 of the BIA;

THE COURT:

[12] **GRANTS** the Application;

[13] **DECLARES** that the Trustee is authorized to contest before the Quebec Court of Appeal the Appeal Proceedings (files No. 500-09-029763-216 and 500-09-029765-211) against the First Order;

[14] **THE WHOLE** without costs.



Me Vincent-Michel Aubé, Registrar

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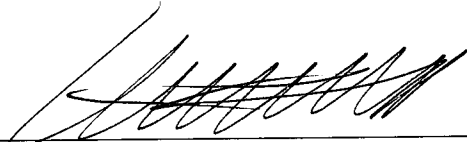
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