

COURT FILE NUMBER BK01-095558  
BK01-095559

COURT COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

Clerk's Stamp

IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY*  
*ACT*, R.S.C. 1985, c B-3, AS AMENDED

AND IN THE MATTER OF THE NOTICE OF INTENTION  
TO MAKE A PROPOSAL OF ATTABOTICS INC. AND  
ATTABOTICS (US) CORP.

APPLICANTS ATTABOTICS INC. AND ATTABOTICS (US) CORP.

DOCUMENT **APPLICATION**

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Matter: 1269907

## NOTICE TO THE RESPONDENTS

This application is made against you.

You have the right to state your side of this matter before the Justice.

To do so, you must be in Court when the application is heard as shown below:

Date: September 8, 2025

Time: 3:30 p.m. MDT

Where: By Webex:

<https://albertacourts.webex.com/meet/virtual.courtroom60>

Before Whom: The Honourable Justice Johnston in Commercial Chambers

Go to the end of this document to see what you can do and when you must do it.

**Remedy claimed or sought:**

1. The applicants, ATTAbotics Inc. (“**ATTAbotics**”) and ATTAbotics (US) Corp. (together with ATTAbotics, the “**Applicants**”), seek an Order substantially in the form attached hereto as **Schedule “A”**:
  - (a) extending the time within which the Applicants are required to file a proposal to their creditors under section 50.4(1) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (the “**BIA**”) to October 30, 2025 (the “**Stay Period**”); and
  - (b) such further and other relief as counsel may request and this Honourable Court may grant.

**Grounds for making this application:**

***Background***

2. Capitalized terms used by not otherwise defined herein have the meanings given to such terms in the July 4 Order (as defined below).
3. ATTAbotics is a private corporation incorporated under the laws of Canada. ATTAbotics US is a wholly owned subsidiary of ATTAbotics incorporated under the laws of the State of Delaware. The Applicants have developed and commercialized the world’s first 3D robotics supply chain management system.
4. On July 2, 2025, the Applicants filed Notices of Intention to Make a Proposal under the BIA (the “**NOI Proceedings**”).
5. On July 4, 2025, the Honourable Justice Gill granted an Order (the “**July 4 Order**”) which, among other things: (a) procedurally consolidated the NOI Proceedings into one estate; (b) granted an Administration Charge in an amount not to exceed \$300,000; (c) granted a D&O Charge in an amount not to exceed \$200,000; (d) approved the Interim Facility pursuant to an Interim Financing Term Sheet in an amount up to \$1.5 million and granted an Interim Lender’s Charge to secure all obligations of the Applicants with respect thereto; and (e)

approved a key employee retention plan (“**KERP**”) and granted a KERP Charge to secure any payments to Key Employees under the KERP in an amount not to exceed \$90,000.

6. On July 29, 2025, the Honourable Justice Jeffrey granted an Order (the “**July 29 Order**”) which, among other things: (a) extended the time within which the Applicants are required to file a proposal to September 15, 2025; (b) approved a second KERP and increased the KERP Charge to the aggregate amount of \$221,921; (c) approved a sale and investment solicitation process (the “**SISP**”); and (d) approved an Amended and Restated Interim Financing Term Sheet which, among other things, increased the Interim Facility from \$1.5 million to \$3.5 million.

### ***Stay Extension***

7. The July 29 Order approved a SISP by the Applicants and Richter Inc., in its capacity as Proposal Trustee (the “**Proposal Trustee**”). The deadline under the SISP for receipt of binding bids was August 21, 2025 at 12:00 p.m. (Calgary time). Multiple bids were received on that date. The Applicants, in consultation with the Proposal Trustee, are in active discussions with certain bidders regarding their respective bids and expect to select a Successful Bid (as defined in the SISP) on or before September 3, 2025. The Applicants have time booked before the Honourable Justice Nielson on September 17, 2025 for an approval and vesting order (“**AVO**”) approving the Successful Bid.
8. The current Stay Period expires on September 15, 2025. The Applicants are accordingly seeking an extension of the Stay Period to October 30, 2025 to allow time for the Applicants’ application for an AVO to proceed and, if approved by this Honourable Court, for the transactions detailed therein to be closed.
9. The Applicants have acted, and continue to act, in good faith and with due diligence in these NOI Proceedings. Since commencement of the NOI Proceedings on July 2, the Applicants, in conjunction with the Proposal Trustee, have conducted the SISP and are in the process of selecting the Successful Bid for consideration and proposed approval by this Honourable Court. The requested extension of the Stay Period is necessary and appropriate in the circumstances.

**Material or evidence to be relied on:**

10. The Affidavit of Mark Dickinson, sworn September 2, 2025;
11. The Third Report of the Proposal Trustee, to be filed; and
12. Such further and other material as counsel may advise and this Honourable Court may permit.

**Applicable Acts and regulations:**

13. Rules 1.2, 1.3, 3.2(2)(d), 3.8, 11.27 and 13.5 of the *Alberta Rules of Court*, Alta Reg 124/2010;
14. The *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended; and
15. Such further and other Acts and regulations as counsel may advise and this Honourable Court may permit.

**Any irregularity complained of or objection relied on:**

16. None.

**How the application is proposed to be heard or considered:**

17. Before the Honourable Justice Johnston in Commercial Chambers via Webex.

**WARNING**

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and time shown at the beginning of this form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the applicant(s) a reasonable time before the application is to be heard or considered.

**Schedule “A”**

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APPLICANTS ATTABOTICS INC. and ATTABOTICS (US), CORP.

DOCUMENT **ORDER**

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Matter: 1269907

**DATE ON WHICH ORDER WAS PRONOUNCED:** September 8, 2025

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

**JUSTICE WHO MADE THIS ORDER:** The Honourable Justice Johnston

**UPON THE APPLICATION** of ATTAbotics Inc. and ATTAbotics (US), Corp. (together, the “**Applicants**”); **AND UPON** reviewing the Affidavit of Mark Dickinson, sworn September 2, 2025; **AND UPON** reviewing the Third Report of Richter Inc. in its capacity as proposal trustee of the Applicants (in such capacity, the “**Proposal Trustee**”); **AND UPON** noting that each of the Applicants filed a Notice of Intention to Make a Proposal under subsection 50.4(1) of the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3 (the “**BIA**”) on July 2, 2025; **AND UPON**

hearing submissions by counsel for the Applicants, counsel for the Proposal Trustee and any other counsel or other interested parties present;

**IT IS HEREBY ORDERED THAT:**

1. Service of the application for this order is deemed good and sufficient and no other person other than those persons served is entitled to service of the application.
2. The time within which the Applicants are required to file a proposal to their creditors under section 50.4(9) of the BIA is hereby extended to October 30, 2025.
3. Service of this Order may be effected by facsimile, electronic mail, personal delivery or courier. Service is deemed to be effected the next business day following transmission or delivery of this Order.

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Justice of the Court of King's Bench of Alberta