

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE *MR.*) THURSDAY, THE 22ND
JUSTICE *PATTILLO*) DAY OF FEBRUARY, 2018



IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF 2500053 ONTARIO INC.

Applicant

ORDER

Re: Fees and Assignment in Bankruptcy

THIS MOTION made by Ernst & Young Inc., in its capacity as the court-appointed monitor of the Applicant (the "**Monitor**"), pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**") was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Twenty-Fourth Report of the Monitor, dated February 15, 2018 (the "**Twenty-Fourth Report**"), and upon hearing the submissions of counsel for the Monitor and such other counsel as were present, no one else appearing although duly served as appears from the affidavit of service of Maria Magni sworn February 16, 2018.

SERVICE

1. **THIS COURT ORDERS AND DECLARES** that the time for service of the Notice of Motion and the Motion Record in support of this Motion and the Twenty-Fourth Report be and is hereby abridged and validated, such that this Motion is properly returnable today, and that any further service of the Notice of Motion, the Motion Record or the Twenty-Fourth Report is hereby dispensed with.

APPROVAL OF MONITOR'S TWENTY-FOURTH REPORT

2. **THIS COURT ORDERS** that the Twenty-Fourth Report and the activities of the Monitor described therein are hereby approved.

APPROVAL OF FEES AND DISBURSEMENTS

3. **THIS COURT ORDERS** that the fees and disbursements of the Monitor, being \$71,801.00 in fees together with expenses and disbursements in the sum of \$6,522.99 plus HST of \$10,182.12, totaling \$88,506.11 as set out in the Affidavit of Brian Denega sworn February 16, 2018, attached as Appendix B to the Twenty-Fourth Report, are approved.

4. **THIS COURT ORDERS** that the fees and disbursements of the Thornton Grout Finnigan LLP ("TGF"), being \$14,690.00 together with expenses and disbursements in the sum of \$1,425.63 plus HST of \$2,095.03, totaling \$18,210.66 as set out in the Affidavit of Robert I. Thornton sworn February 14, 2018, attached as Appendix C to the Twenty-Fourth Report, are approved.

ASSIGNMENT IN BANKRUPTCY

5. **THIS COURT AUTHORIZES AND DIRECTS** the Monitor to file an assignment in bankruptcy with respect to the Applicant and to take any steps reasonably incidental thereto.

ADMINISTRATIVE RESERVE

6. **THIS COURT AUTHORIZES AND DIRECTS** the Monitor to deliver the amount of \$52,310.71 to the Trustee in Bankruptcy of the Applicant, to be used to administer the bankruptcy estate of the Applicant.

7. **THIS COURT AUTHORIZES AND DIRECTS** the Monitor to pay the outstanding fees and disbursements of the Monitor and TGF in respect of the finalization of these CCAA proceedings.



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ON / BOOK NO:
LE / DANS LE REGISTRE NO:

FEB 22 2018

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AND IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF 2500053 ONTARIO INC.**

Court File No.: CV-13-10274-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceedings commenced at Toronto

**ORDER
Re: Fees and Assignment in Bankruptcy**

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