

**CITATION:** Re Crystallex International Corporation  
**COURT FILE NO.:** CV-11-9532-00CL  
**DATE:** 20211008

**SUPERIOR COURT OF JUSTICE – ONTARIO  
COMMERCIAL LIST**

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

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
CRYSTALLEX INTERNATIONAL CORPORATION

**BEFORE:** Conway J.

**COUNSEL:** Maureen Littlejohn, Robin Schwill and Natalie Renner, for Crystallex International Corporation ("**Crystallex**")

Peter Ruby and Robert Chadwick, for Computershare Trust Company of Canada in its capacity as Trustee (the "**Trustee**") for the holders of Senior 9.375% Notes due December 23, 2011 issued by the Applicant (the "**Senior Notes**") and the ad hoc committee of beneficial owners of the Senior Notes (the "**Ad Hoc Committee**" and with the Trustee, the "**Noteholders**")

Tim Pinos and R. Shayne Kukulowicz for the DIP Lender, Tenor Special Situation Fund I, L.P. (the "**DIP Lender**")

David Byers for Ernst & Young Inc., Monitor

**DATE HEARD:** October 8, 2021

**ENDORSEMENT**

[1] There are currently three motions scheduled before this Court, with the following relief being sought:

- (a) a motion scheduled for October 14, 2021 brought by the Applicant, Crystallex, for an order maintaining sealing of certain of its financial information;
- (b) a cross-motion scheduled for October 14, 2021 brought by the Noteholders for an order requiring the unsealing or public disclosure of certain information; and
- (c) a motion scheduled for November 1, 2021 brought by Crystallex for (i) an extension of its stay of proceedings, (ii) approval to enter into the Sixteenth Credit Agreement

Amendment and approving the terms of such agreement, and (iii) sealing certain information in connection with this motion.

[2] **I will hear all of those motions together on November 18, 2021 for a half day starting at 10:00 a.m.**

[3] Crystallex's stay extension expires on November 5, 2021. The parties have advised the Court that they consent to an extension of the stay until November 18, 2021 without prejudice to any party's rights or arguments at the motion scheduled on that date. **An interim stay until November 18, 2021 is granted on this basis.**

[4] I have asked the parties to focus their materials on only those issues that remain to be dealt with at the November 18 hearing.

A handwritten signature in blue ink, appearing to read "Conway J.", is located in the lower-left portion of the page.