



SUPERIOR COURT OF JUSTICE

COMMERCIAL LIST

ENDORSEMENT

COURT FILE NO.: CV-24-00712687-00CL

DATE: 16 April 2024

NO. ON LIST: 3

TITLE OF PROCEEDING: 9869247 CANADA LIMITED *et al*

BEFORE: JUSTICE OSBORNE

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Gina Rhodes	Lawyers for the Applicants, 9869247 Canada Limited and GN Ventures LTD.	grhodes@millerthomson.com
Craig Mills		cmills@millerthomson.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Melinda Vine	Lawyer for Gray Jay Estates Inc.	mvine@harrisonpensa.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Harvey Chaiton	Lawyer for NE SPC II LP	harvey@chaitons.com
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ENDORSEMENT of OSBORNE, J.

1. The Applicants seek a stay extension through to and including May 3, 2024.
2. The Service List has been served. No party opposes the relief sought, and it is supported by the Monitor for the reasons set out in the Fourth Report dated April 14, 2024.
3. The Applicants rely upon the affidavit of Leanne Brigitte Simons sworn April 15, 2024, together with the exhibits thereto, along with the Fourth Report. Defined terms in this endorsement have the meaning given to them in my earlier Endorsements made in this proceeding, the motion materials and/or the Fourth Report, unless otherwise stated.
4. This date was originally reserved for a sale approval motion. Counsel advise today that negotiations with Gray Jay have concluded and issues have been resolved as of this morning, with the result that a modest extension is required to finalize the agreement and related documents.
5. The current stay expires on April 9. The updated cash flow forecasts prepared by the Monitor shows that the Applicants should have sufficient funding to maintain liquidity during the proposed extension.
6. The next available court date is Tuesday, May 7 at 9 AM, at which time the sale approval motion is expected. There is no known opposition at this time. Given the short additional time between the date of the proposed stay extension and May 7, the Monitor has confirmed in Court today that the cash flow forecasts are sufficient to meet liquidity needs through that additional period.
7. I am satisfied that the Applicants have acted and are continuing to act in good faith and with due diligence, and that no creditors will suffer material prejudice as a result of the extended-stay, which is supported by both the Monitor and the DIP Lender.
8. The requested relief as amended to extend the stay to and including May 7, 2024 is approved pursuant to section 11.02(2) of the CCAA for the reasons above.
9. The motion will proceed on **Tuesday, May 7 commencing at 9:00 AM via Zoom.**
10. Order to go in the form signed by me today which is effective immediately and without the necessity of issuing and entering.

