

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY
(COMMERCIAL LIST)**

THE HONOURABLE

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MONDAY, THE 30TH

JUSTICE CAVANAGH

DAY OF AUGUST, 2021



**IN THE MATTER OF THE PROPOSAL OF
2505243 ONTARIO LIMITED, OF THE CITY OF
TORONTO, IN THE PROVINCE OF ONTARIO**

**ORDER
(Further DIP Increase)**

THIS MOTION, made by KSV Restructuring Inc., in its capacity as the proposal trustee (in such capacity, the **Proposal Trustee**) for an order, among other things, further increasing the maximum borrowing available in Post-Filing Advances (as defined in the Order of this Court dated October 20, 2020, the **October 20 Order**) on the terms as amended by the fifth amendment to the DIP Term Sheet dated August 19, 2021 (the **Fifth DIP Amendment**), was heard this day virtually via Zoom videoconference as a result of the COVID 19 pandemic.

ON READING the Motion Record of the Proposal Trustee dated August 20, 2021, the Seventh Report of the Proposal Trustee dated August 20, 2021, and the Affidavit of Peter Eliopoulos sworn August 19, 2021 (the **Eliopoulos Affidavit**), and on hearing the submissions of counsel for the Proposal Trustee and for 2505243 Ontario Limited (the **Debtor**) and those other parties present, no one else appearing although duly served as evidenced by the Affidavit of Service of Eichel Archer sworn August 23, 2021, filed;

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Motion Record in respect of this motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

AMENDMENTS TO DIP FINANCING

2. **THIS COURT ORDERS** that the Debtor shall be authorized and empowered to obtain further additional Post-Filing Advances on the same terms as authorized by the October 20 Order with such changes as have been subsequently approved by this Court and those that are reflected in the Fifth DIP Amendment.

3. **THIS COURT ORDERS** that the DIP Lender's Charge (as defined in the October 20 Order) and the priority afforded thereto shall apply to any Post-Filing Advances.

RECOGNITION

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this Order and to assist the Debtor, the Proposal Trustee and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Debtor and to the Proposal Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Proposal Trustee in any foreign proceeding, or to assist the Debtor and the Proposal Trustee and their respective agents in carrying out the terms of this Order.

IN THE MATTER OF THE PROPOSAL OF
2505243 ONTARIO LIMITED OF THE CITY OF
TORONTO, IN THE PROVINCE OF ONTARIO

Estate/Court File No.: 31-2675288

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY
(COMMERCIAL LIST)**

Proceeding commenced at TORONTO

**ORDER
(Further DIP Increase)**

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