



Court File No. CV-24-00713245-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE

)

WEDNESDAY, THE 28<sup>TH</sup>

)

JUSTICE KIMMEL

)

DAY OF JANUARY, 2026

**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 BALBOA INC., DSPLN INC., HAPPY  
GILMORE INC., INTERLUDE INC., MULTIVILLE INC., THE  
PINK FLAMINGO INC., HOMETOWN HOUSING INC., THE  
MULLIGAN INC., HORSES IN THE BACK INC., NEAT NESTS  
INC. AND JOINT CAPTAIN REAL ESTATE INC.**

**ANCILLARY MATTERS ORDER**

**THIS MOTION**, made by KSV Restructuring Inc., in its capacity as the Court-appointed monitor of the Applicants (in such capacity, the “**Monitor**”), for an Order, *inter alia*: (i) extending the Stay Period (as defined below); (ii) authorizing the repayment of the Viscount DIP Facility (as defined in the Fourteenth Report, defined below); (iii) approving the Fourteenth Report of the Monitor dated January 21, 2026 (the “**Fourteenth Report**”) and the activities described therein; and (iv) approving the fees of the Monitor and its legal counsel, was heard this day by judicial videoconference via Zoom.

**ON READING** the Notice of Motion of the Monitor and the Fourteenth Report, including the appendices thereto, and such other materials that were filed, and on hearing the submissions of

counsel to the Monitor, and those other counsel that were present, no one else appearing although duly served as appears from the Lawyer's Certificate of Alec Hoy dated January 21, 2026, filed;

### **SERVICE**

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

2. **THIS COURT ORDERS** that capitalized terms used in this Order and not otherwise defined have the meaning given to them in the Fourteenth Report or the Second Amended and Restated Initial Order of this Court dated March 28, 2024, as amended and restated from time to time, as applicable.

### **STAY OF PROCEEDINGS**

3. **THIS COURT ORDERS** that the Stay Period be and is hereby extended until and including July 31, 2026.

### **REPAYMENT OF DIP FACILITY & TERMINATION OF DIP LENDER'S CHARGE**

4. **THIS COURT ORDERS** that, notwithstanding paragraphs 4 or 5(a) of the Orderly Liquidation Mechanics Order, including the approval of the Second DIP Allocation therein, the Monitor is hereby authorized, on behalf of the Applicants, to repay any and all amounts outstanding under the Viscount DIP Facility.

5. **THIS COURT ORDERS** that, upon repayment of all amounts outstanding under the Viscount DIP Facility in accordance with paragraph 4 hereof:

- (a) the Viscount DIP Facility shall be and is hereby terminated immediately, without any further action on behalf of the Monitor or the DIP Lender;
- (b) paragraphs 6(d) and 9 of the Orderly Liquidation Mechanics Order, as they relate to the DIP Lender, shall cease to have any effect;
- (c) without limitation to the foregoing, and notwithstanding anything to the contrary in the Orderly Liquidation Mechanics Order, the DIP Lender shall cease to have any consent or other rights, or any further involvement, under the Orderly Liquidation Mechanics Order; and
- (d) the DIP Lender's Charge and any other security, mortgages or charges granted to secure obligations under the Viscount DIP Facility shall be and is hereby terminated, released and discharged without any further act or formality.

**APPROVAL OF THE MONITOR'S FOURTEENTH REPORT, ACTIVITIES AND FEES**

6. **THIS COURT ORDERS** that the Fourteenth Report and the activities of the Monitor referred to therein be and are hereby approved; provided, however, that only the Monitor, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

7. **THIS COURT ORDERS** that the fees and disbursements of the Monitor and its counsel, Cassels Brock & Blackwell LLP, as set out in the Fourteenth Report, and the Fee Affidavits appended thereto, be and are hereby approved.

**GENERAL**

8. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada.

9. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. (Eastern Time) on the date of this Order without the need for entry or filing.

Jessica  
Kimmel

---

Digitally signed by  
Jessica Kimmel  
Date: 2026.01.28  
16:57:43 -05'00'

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 BALBOA INC., DSPLN INC., HAPPY GILMORE INC., INTERLUDE INC., MULTIVILLE INC., THE PINK FLAMINGO INC., HOMETOWN HOUSING INC., THE MULLIGAN INC., HORSES IN THE BACK INC., NEAT NESTS INC. AND JOINT CAPTAIN REAL ESTATE INC.

Court File No. CV-24-00713245-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT  
TORONTO

**ANCILLARY MATTERS ORDER**

**Cassels Brock & Blackwell LLP**

Suite 3200, Bay Adelaide Centre - North Tower  
40 Temperance Street  
Toronto, ON M5H 0B4

**Ryan Jacobs LSO#: 59510J**

Tel: 416.860.6465  
rjacobs@cassels.com

**Shayne Kukulowicz LSO#: 30729S**

Tel: 416.860.6463  
skukulowicz@cassels.com

**Joseph J. Bellissimo LSO#: 46555R**

Tel: 416.860.6572  
jbelissimo@cassels.com

*Lawyers for the Monitor, KSV Restructuring Inc.*