

ENTERED

September 19, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 15
BIOSTEEL SPORTS NUTRITION INC.,)	Case No. 23-90777 (DRJ)
Debtor in a Foreign Proceeding.)	Re: Docket No. <u>6</u>

**ORDER (I) SCHEDULING RECOGNITION HEARING AND
(II) SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE**

Upon the motion (the "Motion")¹ of BioSteel Sports Nutrition Inc., in its capacity as the Foreign Representative, seeking entry of an order (a) scheduling a hearing on the relief sought in the Verified Petition, (b) setting the deadline by when any responses or objections to the Verified Petition must be received and (c) specifying the form and manner of service of notice of the hearing on the relief sought in the Verified Petition; and this Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested in the Motion being a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P); and that this Court may enter a final order consistent with Article III of the United States Constitution; venue being proper before the Court pursuant to 28 U.S.C. § 1410; adequate and sufficient notice of the Motion having been given by the Foreign Representative; it appearing that the relief requested in the Motion is necessary and beneficial to the Foreign Debtor; and no objections or other responses having been filed that have not been overruled, withdrawn or otherwise resolved; and after due deliberation and sufficient cause appearing therefor, it is hereby **ORDERED** that:

1. The Motion is granted as set forth herein.

¹ Capitalized terms used but not defined herein shall have the meaning ascribed to them in the Motion.

2. A hearing on the relief requested in the Verified Petition is scheduled for October 13, 2023, at 2:30 p.m. (prevailing Central Time), or as soon thereafter as counsel shall be heard, in the United States Bankruptcy Court for the Southern District of Texas, Courtroom 400, 4th floor, 515 Rusk Street, Houston, Texas 77002.

3. The form of notice of the Recognition Hearing (the “Notice”), in substantially the form attached hereto as **Exhibit 1**, is hereby approved.

16. The Foreign Representative shall serve copies of the Notice by email and/or first class mail on (a) the Office of the United States Trustee; (b) the United States Attorney for the Southern District of Texas; (c) all persons or bodies authorized to administer the Canadian Proceeding; (d) all parties to litigation pending in the United States in which the Foreign Debtor is a party as of the date hereof; (e) all known vendors of the Foreign Debtor; (f) all known equity holders of the Foreign Debtor; (g) all parties against whom the Foreign Debtor, on the Petition Date, is seeking relief pursuant to Bankruptcy Code section 1519; (h) such other parties in interest that have requested notice pursuant to Bankruptcy Rule 2002; and (i) such other entities as this Court may direct (collectively, the “Notice Parties”).

4. The Foreign Representative shall serve the Notice and any subsequent pleadings filed by the Foreign Representative upon any party that files a notice of appearance in this chapter 15 case, within three business days of the filing of such notice of appearance, or as soon thereafter as practicable, if such documents have not already been served on such party (or its counsel).

5. Service of the Notice in accordance with this Order is hereby approved as adequate and sufficient notice and service on all interested parties.

6. All notice requirements set forth in Bankruptcy Code section 1514(c) are inapplicable in the context of this chapter 15 case or are hereby waived.

7. Responses or objections to the Verified Petition and the relief requested therein must be made pursuant to the Bankruptcy Code, the Bankruptcy Rules and the Local Rules, including, without limitation, Bankruptcy Rule 1012, in writing and setting forth the basis therefor. Such responses must be filed with the United States Bankruptcy Court for the Southern District of Texas, Office of the Clerk of the Court, 515 Rusk Street, Houston, Texas 77002, and served upon counsel for the Foreign Representative so as to be actually received by them no later than October 10, 2023, at 12:00 p.m. (prevailing Central Time). Notices to counsel for the Foreign Representative should be addressed to Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, Attn: Ira S. Dizengoff, Meredith A. Lahaie and Rachel Biblo Block, emails: idizengoff@akingump.com, mlaiaie@akingump.com and rbibloblock@akingump.com.

Signed: September 19, 2023.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

Notice of Recognition Hearing

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:)	Chapter 15
BIOSTEEL SPORTS NUTRITION INC.,)	Case No. 23-90777 (DRJ)
Debtor in a Foreign Proceeding.)	

**NOTICE OF RECOGNITION HEARING
ON FOREIGN RECOGNITION PROCEEDING**

PLEASE TAKE NOTICE that BioSteel Sports Nutrition Inc. (the “Foreign Debtor”) is the subject of a proceeding (the “Canadian Proceeding”) under the Companies’ Creditors Arrangement Act in the Ontario Superior Court of Justice, and, in its capacity as foreign representative (the “Foreign Representative”), filed a *Verified Petition for (I) Recognition of Foreign Main Proceeding, (II) Recognition of the Foreign Representative, and (III) Related Relief under Chapter 15 of the Bankruptcy Code* (the “Verified Petition”) with the United States Bankruptcy Court for the Southern District of Texas (the “Court”).

PLEASE TAKE FURTHER NOTICE that, among other things, the Foreign Representative seeks entry of an order recognizing the Canadian Proceeding as a foreign main proceeding pursuant to section 1517 of title 11 of the United States Code (the “Bankruptcy Code”) and granting certain additional relief.

PLEASE TAKE FURTHER NOTICE that the Court has scheduled a hearing with respect to the Verified Petition (the “Recognition Hearing”) for [•] [•].m. (prevailing Central Time) on [•], 2023. The hearing will be conducted at the United States Bankruptcy Court, 515 Rusk Street, Houston, Texas 77002, Courtroom 400. Participation will be permitted in person or by audio and video. Audio will be by use of the Court’s dial-in facility. You may access the facility at 832-917-1510. You will be responsible for your own long-distance charges. Once connected, you will be asked to enter the conference room number. Judge Jones’s conference room number is 205691. You may view video via GoToMeeting. To use GoToMeeting, the Court recommends that you download the free GoToMeeting application. To connect, you should enter the meeting code “JudgeJones” in the GoToMeeting app or click the link on Judge Jones’s home page on the Southern District of Texas website. Once connected, click the settings icon in the upper right corner and enter your name under the personal information setting.

PLEASE TAKE FURTHER NOTICE that hearing appearances must be made electronically in advance of the hearing. To make your electronic appearance, go to the Southern District of Texas website and select “Bankruptcy Court” from the top menu. Select “Judges’ Procedures,” and “View Home Page” for Judge Jones. Select the case name, complete the required fields and click “Submit” to complete your appearance.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to submit a response or objection to the Verified Petition must do so in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the local rules of the Court, and such response or objection must be in writing and set forth the basis therefor and shall be served upon United States counsel for the Foreign Representative: Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, Attn: Ira S. Dizengoff, Meredith A. Lahaie and Rachel Biblo Block, emails: pdublin@akingump.com, mlahaie@akingump.com and rbibloblock@akingump.com, so as to be actually received no later than [•], 2023, at 4:00 p.m. (prevailing Central Time).

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested by the Foreign Representative, or if you want the Court to consider your views on any matter requested at the Recognition Hearing, then you or your attorney must attend such hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought by the Foreign Representative and may enter an order granting the relief requested.

PLEASE TAKE FURTHER NOTICE that copies of the Verified Petition filed by the Foreign Representative may be obtained by visiting the Court's website at <http://ecf.txsb.uscourts.gov/> (a PACER login and password are required to retrieve a document) or upon written request to the Foreign Representative's United States counsel addressed to: Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036, Attn: Ira S. Dizengoff, Meredith A. Lahaie and Rachel Biblo Block, emails: idizengoff@akingump.com, mlahaie@akingump.com and rbibloblock@akingump.com.

PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read the Verified Petition carefully and discuss it with your attorney, if you have one in connection with this chapter 15 case. If you do not have an attorney, then you may wish to consult one.

Dated: September [•], 2023
Houston, Texas

AKIN GUMP STRAUSS HAUER & FELD LLP

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-and-

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