

SUPREME COURT OF NOVA SCOTIA

IN THE MATTER OF the *Companies Creditors Arrangement Act*, R.S.C., 1985, c. C-36, as amended (the “**CCAA**”)

AND IN THE MATTER OF an application by Blue Lobster Capital Limited, 3284906 Nova Scotia Limited, 3343533 Nova Scotia Limited and 4318682 Nova Scotia Limited (collectively, the “**Applicants**”) for relief under s. 11 of the CCAA and other relief.

NOTICE OF MOTION

To: The Service List as set out in Schedule “A” hereto

Motion

KSV Restructuring Inc., in its capacity as court-appointed monitor of the Applicants (the “**Monitor**”) in this proceeding, is applying to a judge pursuant to the CCAA for:

- (a) an Approval and Vesting Order (the “**Brunswick Property AVO**”):
 - (i) approving an agreement of purchase and sale dated October 15, 2025 (the “**Brunswick Property APS**”) between Blue Lobster Capital Limited, as represented by the Monitor, and Ashley MacLeod and Danae Harvalias (the “**Brunswick Property Purchasers**”), as purchasers, and the transaction contemplated thereunder (the “**Brunswick Property Transaction**”); and
 - (ii) vesting the Property (as defined in the Brunswick Property AVO) in the Brunswick Property Purchasers, free and clear of all claims and encumbrances, other than the Permitted Encumbrances (as defined in the Brunswick Property AVO), upon execution and delivery of a certificate by the Monitor confirming completion of the Brunswick Property Transaction;
- (b) an Order (the “**Ancillary Order**”):
 - (i) sealing the confidential appendix to the Sixth Report of the Monitor dated November 3, 2025 (the “**Sixth Report**”);
 - (ii) authorizing the Monitor to make distributions to Royal Bank of Canada up to the amount of its indebtedness from the proceeds of the Brunswick Property Transaction; and
 - (iii) approving the Sixth Report and the Monitor’s activities described therein.

Time and Place

This motion is to be heard by a judge on November 10, 2025 at The Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia (902-424-4900). The moving party has set the motion for a hearing at 2:00 p.m. (AT).

References

The moving party relies on the following legislation, Rules, or points of law:

- (a) the provisions of the CCAA generally, including sections 11 and 36 thereof;
- (b) the *Nova Scotia Civil Procedure Rules*, and in particular Rules 2.03 and 23; and
- (c) such further and other references as counsel may advise and this Honourable Court may permit.

Evidence

The evidence in support of the motion is as follows:

- (a) the Sixth Report of the Monitor, to be filed; and
- (b) such further and other evidence as counsel may advise and this Honourable Court may permit.

Possible order against you

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

Signed this 3rd day of November, 2025



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SCHEDULE "A"

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SERVICE LIST

(October 21, 2025)

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