Estate/Court File No. 31-2749576

## ONTARIO SUPERIOR COURT OF JUSTICE [IN BANKRUPTCY AND INSOLVENCY] (COMMERCIAL LIST)

) )

)

THE HONOURABLE MR

JUSTICE KOEHNEN

WEDNESDAY, THE 27TH DAY

OF OCTOBER, 2021

## IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF CLAIREVILLE PROPERTY HOLDINGS INC. A CORPORATION INCORPORATED UNDER THE ONTARIO *BUSINESS CORPORATIONS ACT*

### ORDER

**THIS MOTION**, made by KSV Restructuring Inc. ("**KSV**"), in its capacity as the proposal trustee (in such capacity, the "**Proposal Trustee**") of Claireville Property Holdings Inc. (the "**Debtor**"), for an order, *inter alia*, (i) extending the time for the Proposal Trustee to file a proposal on the Debtor's behalf under the *Bankruptcy and Insolvency Act* (Canada) (the "**BIA**") to and including December 14, 2021; and (ii) approving the Third Report of the Proposal Trustee dated October 20, 2021 (the "**Third Report**") and the conduct and activities of the Proposal Trustee described therein, was heard this day by judicial videoconference due to the COVID-19 emergency.

**ON READING** the Third Report and the appendices thereto and on hearing the submissions of counsel for the Proposal Trustee and such other counsel as were present, no one appearing for any other person on the service list, although duly served as appears from the affidavit of service of Tamie Dolny sworn October 21, 2021, filed:

#### SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the notice of motion and the motion record be and is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

# **EXTENSION OF PROPOSAL PERIOD**

2. **THIS COURT ORDERS** that, pursuant to subsection 50.4(9) of the BIA, the time for filing a proposal with the Official Receiver in the proceedings of the Debtor, including the stay of proceedings, is extended to and including December 14, 2021.

# **APPROVAL OF THE THIRD REPORT**

3. **THIS COURT ORDERS** that the Third Report be and is hereby approved and the conduct and activities of the Proposal Trustee described therein be and are hereby approved.

# **APPROVAL OF FEES**

4. **THIS COURT ORDERS** that the fees and disbursements of the Proposal Trustee and its counsel, as set out in the Third Report and the fee affidavits appended thereto, are hereby approved.

# **MISCELLANEOUS**

5. **THIS COURT ORDERS** that this Order is effective from the date on which it is made, and is enforceable without any need for entry and filing.  $\bigcirc$ 

## IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF CLAIREVILLE PROPERTY HOLDINGS INC. A CORPORATION INCORPORATED UNDER THE ONTARIO BUSINESS CORPORATIONS ACT

Estate/Court File No. 31-2749576

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

**Proceedings commenced at Toronto** 

## ORDER

AIRD & BERLIS LLP

Barristers and Solicitors Brookfield Place Suite 1800, 181 Bay Street Toronto, ON M5J 2T9

**Kyle Plunkett (LSO # 61044N)** Tel: (416) 865-3406

Fax: (416) 863-1515 Email: <u>kplunkett@airdberlis.com</u>

Jeremy Nemers (LSO # 66410Q) Tel: (416) 865-7724 Fax: (416) 863-1515 Email: jnemers@airdberlis.com

Lawyers for the Proposal Trustee