

S.F. DUNPHY J

13 Dec 2018

1. Sale Approval + Vesting Order:

See typewritten embro sent handed down today.

2. Stalking Horse

I expressed concerns about the brevity of the proposed sales process, particularly given the holidays. The purchaser has agreed to address this concern by moving the bid deadline to January 31, 2019. The union has also expressed a concern that they may wish to assert a claim to priority and the credit bid aspect of the stalking horse is without prejudice to that issue to be asserted or resolved before final approval. Union reservation of rights language is signed by me and approved. Two copies of order as amended by me signed.

3. Order re Receiver activities approved with "Target" language added for 1st, 2nd reports.



13 Dec 2018

CV-18-608978-DJCL

The Order Approving the Brampton Stalking Horse Agreement and Bidding Procedures is without prejudice to the Unions' ability to challenge the credit bid, the Stalking Horse Agreement and the Stalking Horse Bid if the Stalking Horse Bid is the Successful Bid. The Unions' rights are hereby reserved in this regard, as well as the Unions' rights to argue that their section 81.5 and 81.6 BIA priorities prime the secured claims of the Stalking Horse Bidder.

S.F. Smith
language proposed by union
and approved by me.

