

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

G.I. SPORTZ INC., *et al*,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 20-12610 (CSS)

(Jointly Administered)

Ref. Docket No. 7

ORDER SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE

THIS MATTER was brought before the Court by KSV Restructuring Inc., the court-appointed receiver (“**KSV**” or the “**Receiver**”) and authorized foreign representative (the “**Foreign Representative**”) of G.I. Sportz Inc., Tippman US Holdco Inc., GI Sportz Direct LLC, Tippmann Sports, LLC, Mission Less Lethal LLC, and Tippmann Finance LLC (each, a “**G.I. Sportz Debtor**” and collectively, the “**G.I. Sportz Debtors**”). The G.I. Sportz Debtors are in a proceeding under Canada’s *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, (as amended, the “**BIA**”) pending before the Superior Court (Commercial Division) of the Province of Québec, District of Montréal (the “**Québec Court**”). The Receiver commenced the above-captioned cases under chapter 15 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (as amended, the “**Bankruptcy Code**”) with the filing of petitions on behalf of the G.I. Sportz Debtors pursuant to sections 1504 and 1515 and the *Verified Petition for Recognition of Foreign Proceeding and Related Relief* and the *Motion for Provisional Relief in Aid of Canadian Proceeding*, dated October 16, 2020 (collectively, the “**Chapter 15 Petitions**”).

¹ The last four digits of the United States Tax Identification Number, or similar foreign identification number, as applicable, follow in parentheses: G.I. Sportz Inc. (8551), Tippmann US Holdco Inc. (5037), GI Sportz Direct LLC (5359), Tippmann Sports, LLC (0385), Mission Less Lethal LLC (4604), and Tippmann Finance LLC (n/a). The G.I. Sportz Debtors’ executive headquarters is located at 6000 Kieran Street, Montréal, Québec, Canada H4S 2B5.

By its *Motion for Order Specifying Form and Manner of Service of Notice* (the “**Motion**”), the Receiver requested entry of an order pursuant to sections 105(a) and 1515 of the Bankruptcy Code and Rules 1007, 1011, 2002, 9007, and 9008 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) (i) approving the notice of the Chapter 15 Petitions in the form annexed hereto as **Exhibit 1** (the “**Notice**”), (ii) specifying the manner of service of the Notice, and (iii) scheduling a hearing to consider the Chapter 15 Petitions.

The Court having found that (i) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, section 1501 of the Bankruptcy Code, and the *Amended Standing Order of Reference from the United States District Court for the District of Delaware* dated February 29, 2012, (ii) venue is proper in this district pursuant to 28 U.S.C. § 1410, and (iii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P) and the Court may enter a final order consistent with Article III of the United States Constitution, and after due deliberation and good and sufficient cause appearing for approval of the Motion,

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motion is approved as set forth herein.
2. The form of the Notice is hereby approved.
3. Copies of the Notice shall be served by the Receiver by United States mail, first-class postage prepaid or by overnight courier upon all known creditors and all other parties against whom relief is sought (or their counsel), including any such parties (or counsel) that have addresses outside the United States, in accordance with Bankruptcy Rules 1010 and 7004(a) and (b) on or before October 22, 2020.

4. If any party files a notice of appearance in this case, the Receiver shall serve the Notice and subsequent notices upon such party within ten (10) days of the filing of such notice of appearance if such documents have not already been served on such party (or its counsel).

5. Objections or responses to the Chapter 15 Petitions must be made pursuant to the Bankruptcy Code, the local rules of the Court, and the Bankruptcy Rules in writing describing the basis therefore, which objection or response must be filed with the Office of the Clerk of the Court, 824 Market Street, Third Floor, Wilmington, Delaware 19801, and served upon respective counsel for the Receiver, counsel for the Partnership, and counsel to Fulcrum so as to be received by **November 9, 2020 at 4:00 p.m. (ET)**, in accordance with the requirements of Bankruptcy Rule 1011(b). Notices to counsel for the Receiver should be addressed to Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, Delaware 19801, Attention: Michael R. Nestor, Esq. (mnestor@ycst.com) and Matthew B. Lunn, Esq. (mlunn@ycst.com). Notices to counsel for the Partnership and Fulcrum should be addressed to Davies Ward Phillips & Vineberg LLP, 155 Wellington Street West, Toronto, Ontario, Canada M5V 3J7, Attention: Robin B. Schwill (rschwill@dwpv.com).

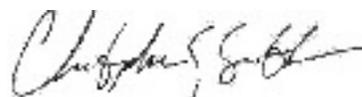
6. A hearing to consider the Chapter 15 Petitions is scheduled for **November 17, 2020, at 2:00 p.m. (ET)**.

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

8. Service of this Order as provided in the Motion shall constitute adequate and sufficient service and notice.

9. This Court shall retain jurisdiction with respect to any and all matters relating to the interpretation or implementation of this Order.

Dated: October 19th, 2020
Wilmington, Delaware



CHRISTOPHER S. SONTCHI
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

G.I. SPORTZ INC., *et al.*,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 20-12610 (CSS)

(Jointly Administered)

Ref. Docket Nos. 7 & __

**NOTICE OF FILING AND HEARING ON PETITIONS SEEKING
RECOGNITION OF FOREIGN PROCEEDING PURSUANT TO CHAPTER 15 OF
THE UNITED STATES BANKRUPTCY CODE**

PLEASE TAKE NOTICE that on October 16, 2020, KSV Restructuring Inc., the court-appointed receiver (“**KSV**” or the “**Receiver**”) and authorized foreign representative of G.I. Sportz Inc., Tippmann US Holdco Inc., GI Sportz Direct LLC, Tippmann Sports, LLC, Mission Less Lethal LLC, and Tippmann Finance LLC (each, a “**G.I. Sportz Debtor**” and collectively, the “**G.I. Sportz Debtors**”) in a proceeding (the “**Canadian Proceeding**”) under Canada’s *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (as amended, the “**BIA**”) pending before the Superior Court (Commercial Division) of the Province of Québec, District of Montréal (the “**Québec Court**”), filed petitions on behalf of the G.I. Sportz Debtors pursuant to sections 1504 and 1515 and the *Verified Petition for Recognition of Foreign Proceeding and Related Relief* and the *Motion for Provisional Relief in Aid of Canadian Proceeding*, dated October 15, 2020 (collectively, the “**Chapter 15 Petitions**”) in the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”) under chapter 15 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532 (as amended, the “**Bankruptcy Code**”) commencing cases ancillary to the Canadian Proceeding (the “**Chapter 15 Cases**”) and seeking: (i) recognition of the Canadian Proceeding as a “foreign main proceeding” and relief in aid thereof, (ii) application of section 365(e) of the Bankruptcy Code in the Chapter 15 Cases, and (iii) enforcement in the United States of the Order of the Québec Court dated October 15, 2020.

PLEASE TAKE FURTHER NOTICE that, on October 19, 2020, the Bankruptcy Court entered an order granting certain provisional relief under sections 105(a) and 1519 of the Bankruptcy Code (the “**Provisional Order**”). Pending the disposition of the Chapter 15 Petitions, the Provisional Order (i) stays execution against the G.I. Sportz Debtors’ assets in the United States and (ii) applies sections 362 and 365(e) of the Bankruptcy Code in these Chapter 15 Cases.

PLEASE TAKE FURTHER NOTICE that a hearing has been scheduled for **November 17, 2020, at 2:00 p.m. (ET)** before the Honorable Christopher S. Sontchi at the United States Bankruptcy Court for the District of Delaware, 824 North Market Street, 5th Floor, Courtroom No. 6, Wilmington, Delaware 19801, to consider the Chapter 15 Petitions, and any objections or responses thereto (the “**Recognition Hearing**”).

PLEASE TAKE FURTHER NOTICE that objections or responses, if any, to the Chapter 15 Petitions must be made pursuant to the Bankruptcy Code, the local rules of the Bankruptcy Court, and Federal Rules of Bankruptcy Procedure, including, without limitation Rule 1011 of the Federal Rules of Bankruptcy Procedure, in writing and setting forth the basis therefore. Such objection must be filed with the Office of the Clerk of the Court, 824 Market Street, Third Floor, Wilmington, Delaware 19801, and served upon respective counsel for the Receiver, counsel for the Partnership, and counsel to Fulcrum so as to be received by **November 9, 2020, at 4:00 p.m. (ET)**. Notices to counsel for the Receiver should be addressed to Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, Delaware 19801, Attention: Michael R. Nestor, Esq. (mnestor@ycst.com) and Matthew B. Lunn, Esq. (mlunn@ycst.com). Notices to counsel for the Partnership and Fulcrum shall be addressed to: (x) Davies Ward Phillips & Vineberg LLP, 155 Wellington Street West, Toronto, Ontario, M5V 3J7, Attention: Robin B. Schwill (rschwill@dwpv.com) and Robert Nicholls

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(rnicolls@dwpv.com) and (y) Faegre Drinker Biddle & Reath LLP, 2200 Wells Fargo Center, 90 South Seventh Street, Minneapolis, Minnesota 55402, Attention: C.J. Harayda (cj.harayda@faegredrinker.com).

PLEASE TAKE FURTHER NOTICE that, if no response or objection is timely filed and served as provided above, the Bankruptcy Court may grant the recognition and relief requested in the Chapter 15 Petitions without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that the Recognition Hearing may be adjourned from time to time without further notice other than an announcement in open court at the Recognition Hearing of the adjourned date or dates or any further adjourned hearing.

PLEASE TAKE FURTHER NOTICE that no time period or place for the filing of proofs of claim has been established in the Canadian Proceeding. When a deadline is set, creditors will be given notice of the same and information on where to file claims and the procedure for filing claims.

Copies of the Chapter 15 Petitions and other filings in these cases are presently available (1) on the Bankruptcy Court's Electronic Case Filing System, which can be accessed from the Bankruptcy Court's website at <https://ecf.deb.uscourts.gov> (a PACER login and a password are required to retrieve a document), (2) from the Receiver through its website at <https://www.ksvadvisory.com/insolvency-cases/case/gisportz> and/or (3) upon request to the Receiver's counsel at: Young Conaway Stargatt & Taylor, LLP, 1000 North King Street, Wilmington, DE 19801, Attn: Troy Bollman, Telephone: (302) 571-6600, Email: tbollman@ycst.com.

Dated: October 19, 2020
Wilmington, Delaware

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