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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

IOVATE HEALTH SCIENCES
INTERNATIONAL INC.,¹ *et al.*

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 25- 11958 (MG)

(Joint Administration Requested)

**FOREIGN REPRESENTATIVE'S *EX PARTE* MOTION FOR
ENTRY OF ORDER SHORTENING THE NOTICE PERIODS FOR EMERGENCY
HEARINGS ON MOTIONS OF FOREIGN REPRESENTATIVE FOR (I) ENTRY OF
AN ORDER GRANTING PROVISIONAL RELIEF, (II) ENTRY OF AN ORDER
GRANTING JOINT ADMINISTRATION OF CHAPTER 15 CASES AND (III)
ENTRY OF AN ORDER SCHEDULING HEARING AND SPECIFYING
THE FORM AND MANNER OF SERVICE OF NOTICE**

Iovate Health Sciences International Inc., in its capacity as the authorized foreign representative (the "Foreign Representative") of the above-captioned foreign debtors (collectively, the "Debtors") in respect of that certain insolvency proceeding (together with any successor proceeding, the "Canadian Proceeding") commenced pursuant to section 50.4 of Canada's *Bankruptcy and Insolvency Act* (R.S.C. 1985, c. B-3) (the "BIA"), pending before the

¹ The Debtors in the Canadian Proceeding, along with the last four digits of each Debtor's United States Tax Identification Number or Canadian Business Number, as applicable, are as follows: (i) Iovate Health Sciences International Inc. (0696); (ii) Iovate Health Sciences U.S.A. Inc. (3542); and (iii) Northern Innovations Holding Corp. (3909).

Ontario Superior Court of Justice (Commercial List) (the “Canadian Court”), by and through its undersigned counsel, respectfully submits this motion (the “Motion to Shorten”) requesting entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”) shortening notice with respect to the (a) *Motion for Provisional Relief in Aid of Canadian Proceeding Pursuant to Section 1519 of the Bankruptcy Code* (the “Provisional Relief Motion”), (b) *Motion for Order (I) Directing Joint Administration of Cases Under Chapter 15 of the Bankruptcy Code and (II) Authorizing Foreign Representative to File Consolidated Lists of Information Required by Bankruptcy Rule 1007(a)(4)* (the “Joint Administration Motion”), and (c) *Foreign Representative’s Motion for Order Scheduling Recognition Hearing and Specifying the Form and Manner of Service of Notice* (the “Scheduling Motion”). In support of this Motion, the Foreign Representative states as follows:

BACKGROUND

1. On the date hereof (the “Petition Date”), the Foreign Representative filed voluntary petitions for relief under chapter 15 of title 11 of the United States Code (the “Bankruptcy Code”) for each of the Debtors in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

2. The relevant factual background is set forth in the *Declaration of Wesley Parris in Support of (I) Verified Chapter 15 Petitions, (II) Foreign Representative’s Motions for Orders Granting Provisional and Final Relief in Aid of Canadian Proceeding and (III) Certain Related Relief* (the “Parris Declaration”)², filed contemporaneously herewith and fully incorporated herein by reference.

² Capitalized terms not otherwise defined herein shall have their meaning as set forth in the Parris Declaration.

3. As set forth in detail in the Parris Declaration, the Debtors' financial performance has deteriorated as a result of certain asserted events of default under their secured debt facility and the entry of a large judgment against them in favor of one of their main competitors. In light of their current situation, the Debtors commenced the Canadian Proceeding followed by these ancillary chapter 15 cases (the "Chapter 15 Cases") seeking this Court's assistance under chapter 15 of the Bankruptcy Code.

JURISDICTION AND VENUE

4. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 as well as the *Amended Standing Order of Reference* dated January 31, 2012, Reference M-431, *In re Standing Order of Reference Re: Title 11*, 12 Misc. 00032 (S.D.N.Y Feb. 2, 2012) (Preska, CJ). This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P).

5. Venue is proper under 28 U.S.C. § 1410 because each of the Debtors' principal assets in the United States are located within the Southern District of New York.

6. The statutory predicate for the relief requested herein is rule 9006-(c) of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules"). The Foreign Representative has properly commenced these Chapter 15 Cases under sections 1504 and 1509 of title 11 of the United States Code (the "Bankruptcy Code") by the filing of verified petitions for recognition of the Canadian Proceeding.

RELIEF REQUESTED

7. By this Motion to Shorten, the Foreign Representative seeks entry of the Proposed Order: (a) shortening the notice period with respect to the Provisional Relief Motion, the Joint Administration Motion, and the Scheduling Motion (collectively, the "Motions"); and (b) scheduling an emergency hearing on the Motions ("Emergency

Hearing”). As described in the Motions and the Parris Declaration, the Debtors seek provisional relief on an emergent basis to, among other things, obtain the benefits of the automatic stay.

BASIS FOR RELIEF

8. Bankruptcy Rule 9006(c)(1) authorizes the Court, for cause shown, to reduce notice periods for motions.³ Cause exists to shorten the notice period for the Provisional Relief Motion. As set forth in the Provisional Relief Motion, provisional relief is urgently needed to avoid irreparable harm to the Debtors. Further, the Court’s consideration of the Motions on an expedited basis is imperative because, without the application of the stay and the ability of the Foreign Representative to control the Debtors’ assets located in the United States, there is a material risk of individual creditors commencing and continuing individual enforcement actions (including the garnishment proceedings before the Arkansas Court) against the Debtors and their property located in the United States during the period between the Petition Date and the date on which this Court determines whether to recognize the Canadian Proceeding. The relief requested would maximize the Debtors’ ability to maintain value for distribution through the Canadian Proceeding.

9. Considering the Motions at the Emergency Hearing is analogous to the Court hearing “first day motions” in cases brought under chapter 11 of the Bankruptcy Code. The relief sought in the Provisional Relief Motion is interim in nature and can only be made final after adequate notice is provided as contemplated by section 1519(e) and Federal Rule of Civil Procedure 65. The relief sought in the Joint Administration Motion and Scheduling Motion is procedural in nature and will not prejudice any party. Therefore, in light of the

³ Fed. R. Bankr. P. 9006(c)(1) (“[W]hen an act is required or allowed to be done at or within a specified time by these rules or by a notice given thereunder or by order of the court, the court for cause shown may in its discretion with or without motion or notice order the period reduced.”).

foregoing, cause exists for the Court to hear the Motions on an urgent basis at the Emergency Hearing, as such is necessary to protect the Debtors' assets within the jurisdiction of the United States and to protect the interests of the Debtors' creditors by facilitating a centralized reorganization process pending recognition of the Canadian Proceeding as a foreign main proceeding.

10. For these reasons, the Foreign Representative respectfully requests that the Court schedule a hearing on the Motions no later than September 10, 2025.

11. Finally, the Foreign Representative requests that the Court grant this Motion to Shorten without notice to third parties.

NO PRIOR REQUEST

12. No prior request for the relief sought in this Motion has been made to this or any other court.

WHEREFORE, the Foreign Representative respectfully requests that the Court enter the Proposed Order, substantially in the form attached hereto as **Exhibit A**, granting the relief requested herein and such other and further relief as may be just and proper.

Dated: September 9, 2025

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Steven W. Golden

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EXHIBIT A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

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**ORDER GRANTING FOREIGN REPRESENTATIVE’S *EX PARTE* MOTION FOR
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THE FORM AND MANNER OF SERVICE OF NOTICE**

Upon consideration of the motion (the “Motion to Shorten”)² of Iovate Health Sciences International Inc. as the authorized foreign representative (the “Foreign Representative”) of the above-captioned debtors (collectively, the “Debtors”), seeking entry of an order (this “Order”) shortening notice for an emergency hearing (the “Emergency Hearing”) on the (a) *Motion for Provisional Relief in Aid of Canadian Proceeding Pursuant to Section 1519 of the Bankruptcy Code* (the “Provisional Relief Motion”), (b) *Motion for Order (I) Directing Joint Administration of Cases Under Chapter 15 of the Bankruptcy Code and (II) Authorizing Foreign Representative to File Consolidated Lists of Information Required by Bankruptcy Rule 1007(a)(4)* (the “Joint Administration Motion”), and (c) *Foreign Representative’s Motion for Order Scheduling Recognition Hearing and Specifying the Form and Manner of Service of*

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² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion to Shorten.

Notice (the “Scheduling Motion” and collectively with the Provisional Relief Motion and Scheduling Motion, the “Motions”); and upon this Court’s review and consideration of the Motion to Shorten and the *Declaration of Wesley Parris in Support of (I) Verified Chapter 15 Petitions, (II) Foreign Representative’s Motions for Orders Granting Provisional and Final Relief in Aid of Canadian Proceeding and (III) Certain Related Relief*; and the Court having jurisdiction to consider the Motion to Shorten and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion to Shorten and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P); and venue being proper before this Court pursuant to 28 U.S.C. § 1410; and this Court having determined that the legal and factual bases set forth in this Motion to Shorten establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion to Shorten is in the best interests of the Debtors and their creditors, and all parties in interest; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor:

IT IS HEREBY ORDERED THAT:

1. The Motion to Shorten is granted.
2. Responses or Objections to the Motions may be presented at the Hearing.
3. An emergency hearing (“Emergency Hearing”) on the Motions shall be held at **3:00 p.m. (E.T.) on September 10, 2025** before the Honorable Judge Martin Glenn by Zoom for Government.
4. The Foreign Representative shall serve notice of this Order by email or United States or Canadian mail where no e-mail is available on (i) the Office of the United States Trustee for the Southern District of New York, (ii) counsel for Royal Bank of Canada, (iii) counsel to Orgain, and (iv) counsel to Walmart.

5. The Debtors are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion to Shorten.

6. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: September ____, 2025

UNITED STATES BANKRUPTCY JUDGE