



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00696017-00CL

DATE: April 12, 2024

NO. ON LIST: 3

TITLE OF PROCEEDING: IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF LOYALTYONE, CO.

BEFORE: JUSTICE CONWAY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Tim Pinos Kiyam Jamal	Counsel for LoyaltyOne Co	tpinos@torys.com kjamal@cassels.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Lesley Mercer Maria Konyaukhova	Counsel for Bread Financial Holdings, Inc.	lmercer@stikeman.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
David Bish	Counsel for Bank of Montreal	dbish@torys.com
Peter Ruby	Counsel for the Monitor – KSV Restructuring Inc.	pruby@goodmans.ca

ENDORSEMENT OF JUSTICE CONWAY:

- [1] Scheduling appointment held today. Counsel have agreed on a timetable for the steps leading up to the hearing re the tax matters agreement. The timetable is attached and approved. The hearing is scheduled **before me on June 13 and 14, 2024 (in person, full days starting at 10 a.m., confirmed with the CL office).**
- [2] There is an issue with respect to certain materials that the parties wish to have sealed. They submit that it is more expeditious to deal with this in advance of the June hearing as it will have an impact on the various steps leading up to the hearing.
- [3] I have scheduled that **motion before me on April 23, 2024 at 11:30 a.m. for one hour (by Zoom, confirmed with the CL office).** Counsel shall follow the usual procedure on the CL when seeking the sealing of any court materials.

Handwritten signature in blue ink, appearing to read "Conway J." with a stylized flourish.

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
LOYALTYONE, CO.

**CONSENT TIMETABLE
(April 11, 2024)**

STEP	DEADLINE	STATUS
Delivery of LoyaltyOne's and Monitor's Motion Record	November 9	Completed
Monitor's Report	November 23	Completed
Delivery of Amended Notice of Motion	December 6	Completed
Amended Monitor Authorization Order and Schedule Settlement Order	December 15	Completed
Bread's Responding Record / Disclaimer Motion Record	February 9	Completed
LoyaltyOne and Monitor Reply Records and Responses to Disclaimer Motion and Supplemental Monitor's Report	March 8	Completed
Bread Reply Record (if any) on Disclaimer Motion only (LoyaltyOne and Monitor reserve their rights to object to any Reply)	March 22 April 15	Second Delaware Law Report; Second Motes Fact Affidavit Delivered March 25 Second Kroll Report
Bread Production of 35 documents referenced in US Complaints	April 10	
Notification by all parties of any intended 39.03 Examinations and	April 15 (with meet and confer of Cross-Examination	

STEP	DEADLINE	STATUS
witnesses intended to be cross-examined	scheduling on April 17)	
Additional Production (both LoyaltyOne and Bread)	April 24	
LoyaltyOne Rebuttal, if any (Bread reserves its right to object to any LoyaltyOne Rebuttal)	May 1	
Completion of any 39.03 Examinations and Cross-Examinations on Affidavits (order under the Rules to be observed, unless departure agreed to or ordered)	May 20	
LoyaltyOne, Monitor and any Supporting Parties Omnibus Factums	May 28	
Bread Omnibus Responding Factum	June 5	
LoyaltyOne and Monitor Omnibus Reply Factums	June 10	
Hearing	June 13 and 14	