

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN**

In re:

Mara Technologies USA Inc.,

Debtor in a Foreign
Proceeding.

Chapter 15

Case No.: 26-45562 (MLO)

(Joint Administration Requested)

**ORDER GRANTING PROVISIONAL RELIEF
UNDER SECTION 1519 OF THE BANKRUPTCY CODE**

Upon consideration of the *Emergency Motion of Foreign Representative for Provisional Relief Under Section 1519 of the Bankruptcy Code* [ECF No. 12] (the “Motion”)¹ filed by KSV Restructuring Inc. (“KSV”), the court-appointed receiver and manager (the “Receiver”) and authorized foreign representative (the “Foreign Representative”) of the above-captioned debtor, together with Invotek Group Inc., Invotek Group USA Inc., and Mara Technologies Inc. (collectively, the “Debtors”), which are the subjects of a receivership proceeding (the “Canadian Proceeding”) under section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “BIA”) and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended (the “CJA”), pending before the Ontario Superior Court of Justice (Commercial List) (the “Canadian Court”); and upon consideration of the Verified

¹ Capitalized terms used but not defined in this Order have the meaning provided in the Motion.

Petition, the Foreign Representative Declaration, and the Foreign Law Declaration; and this Court having jurisdiction under 28 U.S.C. §§ 157 and 1334 and 11 U.S.C. §§ 109 and 1501; and this being a core proceeding under 28 U.S.C. § 157(b)(2)(P); and venue being proper under 28 U.S.C. § 1410; and the relief requested being necessary to avoid immediate and irreparable harm to the Debtors and their stakeholders; and the Court having determined that the relief granted is consistent with the purpose of chapter 15 of the Bankruptcy Code and that the legal and factual bases set forth in the Motion establish just cause for the relief granted; and no objections or other responses having been filed that have not been overruled, withdrawn, or otherwise resolved; and the Motion having been heard on an emergency basis; and for the reasons stated on the record at the hearing held on May 21, 2026 (the “Hearing”); and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY FOUND AND DETERMINED THAT:

A. The findings and conclusions set forth herein constitute this Court’s findings of fact and conclusions of law under Rule 7052 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), made applicable to this proceeding under Bankruptcy Rule 9014. To the extent any of the following findings of fact constitute conclusions of law, they are adopted as such. To the extent any of the following conclusions of law constitute findings of fact, they are adopted as such.

B. Based on the pleadings filed to date, there is a substantial likelihood that the Foreign Representative will demonstrate that the Canadian Proceeding constitutes a “foreign main proceeding” as defined in section 1502(4) of the Bankruptcy Code and that the Court will determine that the additional relief sought, including the relief under sections 362 and 365, is necessary to carry out the purpose of chapter 15 and to protect the Property and the interests of creditors as contemplated by section 1521 of the Bankruptcy Code.

C. The commencement or continuation of any action or proceeding in the United States against the Debtors should be enjoined under sections 105(a) and 1519 of the Bankruptcy Code to permit the expeditious and economical administration of the Canadian Proceeding, and such relief will either (a) not cause an undue hardship to other parties in interest or (b) any hardship to parties is outweighed by the benefits of the relief requested.

D. In the absence of the relief granted in this Order, there is a material risk that the Debtors’ creditors or other parties in interest could discontinue supply of goods and services to the Debtors, pursue the Ameripak Action, or exercise remedies against other Property in the United States.

E. Such acts could (a) disrupt the supply chain essential to the Debtors’ manufacturing operations, (b) halt production and destroy the going-concern value of the business, (c) diminish the value of the Property, and (d) undermine the

Receiver's ability to effect a going-concern sale or restructuring for the benefit of all creditors. Accordingly, there is a material risk that the Debtors may suffer immediate and irreparable injury, and it is necessary that the Court enter this Order.

F. The Foreign Representative has demonstrated that, in the interest of comity, the purpose of chapter 15 is carried out by granting recognition on a provisional basis and giving effect to the Appointment Order, as set forth in this Order.

G. The interest of the public will be served by this Court's entry of this Order.

H. All creditors and other parties in interest are sufficiently protected by the relief granted under this Order, in compliance with section 1522(a) of the Bankruptcy Code.

I. The Foreign Representative and the Debtors are entitled to the relief granted in this Order.

BASED ON THE FOREGOING FINDINGS OF FACT AND AFTER DUE DELIBERATION AND SUFFICIENT CAUSE APPEARING THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. Effective from the Petition Date and continuing until entry of a final order adjudicating the Verified Petition for recognition of the Canadian Proceeding:

- a. the Foreign Representative is recognized as the “foreign representative” as defined in section 101(24) of the Bankruptcy Code with respect to the Debtors, with full authority to administer the Debtors’ assets and affairs in the United States;
- b. section 362 of the Bankruptcy Code applies to the Debtors and their assets within the territorial jurisdiction of the United States, imposing a stay of:
 - i. the commencement or continuation, including the issuance or employment of process, of any judicial, administrative, or other action or proceeding against the Debtors or their assets or proceeds or the Receiver, or to recover a claim or enforce any judicial, quasi-judicial, regulatory, administrative, or other judgment, assessment, order, lien, or arbitration award against the Debtors or their assets or proceeds or the Receiver, or to exercise any control over the Debtors’ assets located in the United States except as authorized by the Foreign Representative in writing; *provided, however*, that nothing in this Order shall stay or enjoin the continuation or prosecution of the arbitration captioned *Invotek Group USA Inc. v. ATX Networks (San Diego) Corp.*, Case No.: 01-26-0000-0578 (the “Invotek/ATX Arbitration”), pending before the American Arbitration Association, including, without limitation, any claims asserted by the Debtors therein and any counterclaims, cross-claims, or defenses asserted by any party in the Invotek/ATX Arbitration.
 - ii. the creation, perfection, seizure, attachment, enforcement, or execution of liens or judgments against the Property in the United States or transferring, encumbering, or otherwise disposing of or interfering with the Debtors’ assets or agreements in the United States without the express consent of the Foreign Representative;
 - iii. any act to collect, assess, or recover a claim against the Debtors or their Property that arose before the commencement of the chapter 15 case; and

- iv. the setoff of any debt owing to the Debtors that arose before the commencement of the chapter 15 case against any claim against the Debtors, except as authorized by the Foreign Representative in writing or by the Court;
- c. section 365(e) of the Bankruptcy Code applies to the Debtors' executory contracts and unexpired leases within the territorial jurisdiction of the United States; and
- d. until the Court rules on the recognition requested in the Verified Petition, all counterparties to the Debtors' executory contracts are prohibited from terminating or modifying those contracts for any reason, including nonpayment or any *ipso facto* clause described by section 365(e)(1) of the Bankruptcy Code; and
- e. until the Court rules on the recognition requested in the Verified Petition, all landlords and other parties leasing premises to the Debtors in the United States are prohibited from: terminating or modifying any lease for any reason, including nonpayment of rent or any *ipso facto* clause described by section 365(e)(1) of the Bankruptcy Code; enforcing any "landlord lien," possessory lien, or similar lien against any Property; changing the locks or codes on the Debtors' premises; or commencing or continuing any eviction or similar proceedings.

3. Nothing in this Order shall operate as a stay arising under section 362(a) of the Bankruptcy Code with respect to the exercise of rights under section 362(b)(6), (7), (17), or (27) or under section 362(o) of the Bankruptcy Code.

4. The following provisions contained in paragraphs 8 through 12 of the Appointment Order are given full force and effect on a provisional basis with respect to the parties identified in the Bankruptcy Disclosures, including any supplemental Bankruptcy Disclosures filed pursuant to paragraph 7 of this Order:

NO PROCEEDINGS AGAINST THE RECEIVER

8. **THIS COURT ORDERS** that no proceeding or enforcement process in any court or tribunal (each, a “Proceeding”), shall be commenced or continued against the Receiver except with the written consent of the Receiver or with leave of this Court.

Appointment Order, ¶ 8.

NO PROCEEDINGS AGAINST THE DEBTOR OR THE PROPERTY

9. **THIS COURT ORDERS** that no Proceeding against or in respect of the Debtors or the Property shall be commenced or continued except with the written consent of the Receiver or with leave of this Court and any and all Proceedings currently under way against or in respect of the Debtors or the Property are hereby stayed and suspended pending further Order of this Court.

Id. at ¶ 9.

NO EXERCISE OF RIGHTS OR REMEDIES

10. **THIS COURT ORDERS** that all rights and remedies against the Debtor, the Receiver, or affecting the Property, are hereby stayed and suspended except with the written consent of the Receiver or leave of this Court, provided however that this stay and suspension does not apply in respect of any “eligible financial contract” as defined in the BIA, and further provided that nothing in this paragraph shall (a) empower the Receiver or the Debtor to carry on any business which the Debtor is not lawfully entitled to carry on, (b) exempt the Receiver or the Debtor from compliance with statutory or regulatory provisions relating to health, safety or the environment, (c) prevent the filing of any registration to preserve or perfect a security interest, or (d) prevent the registration of a claim for lien.

Id. at ¶ 10.

THE APPOINTMENT ORDER ALSO PROHIBITS THE DEBTORS' CONTRACT COUNTERPARTIES FROM TAKING CERTAIN ADVERSE ACTIONS:

11. THIS COURT ORDERS that no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, licence or permit in favour of or held by the Debtors, without written consent of the Receiver or leave of this Court.

Id. at ¶ 11.

CONTINUATION OF SERVICES:

12. THIS COURT ORDERS that all Persons having oral or written agreements (including, but not limited to purchase orders) with the Debtors, or statutory or regulatory mandates for the supply of goods and/or services, including without limitation, all computer software, communication and other data services, centralized banking services, payroll services, insurance, transportation services, utility or other services to the Debtors are hereby restrained until further Order of this Court from discontinuing, altering, interfering with or terminating the supply of such goods or services as may be required by the Receiver, and that the Receiver shall be entitled to the continued use of the Debtors' current telephone numbers, facsimile numbers, internet addresses and domain names, provided in each case that the normal prices or charges for all such goods or services received after the date of this Order are paid by the Receiver in accordance with normal payment practices of the Debtors or such other practices as may be agreed upon by the supplier or service provider and the Receiver, or as may be ordered by this Court.

Id. at ¶ 12.

5. Under Bankruptcy Rule 7065, the security provisions of Rule 65(c) of the Federal Rules of Civil Procedure are waived, to the extent applicable.

6. The Foreign Representative shall serve, or cause to be served, notice of the Motion and this Order in the manner prescribed by Bankruptcy Rule 2002(q) as modified by this Court's *Order (A) Scheduling a Hearing on Chapter 15 Petitions and Recognition, and (B) Specifying Form and Manner of Service of Notice* [ECF No. ___], which shall constitute good and sufficient notice for all purposes. The Foreign Representative and its agents are authorized to serve any notices required under the Bankruptcy Rules or Local Rules.

7. The Foreign Representative may file supplemental Bankruptcy Disclosures enumerating additional entities to whom the relief in this Order shall apply, and the relief granted herein shall apply to such additional entities immediately upon such filing, without further order or action of this Court.

8. The Foreign Representative is authorized to take all actions necessary to carry out this Order.

9. This Order is effective and enforceable immediately upon entry.

10. This Order is without prejudice to any arguments for or against recognition of the chapter 15 case and any relief requested concurrently therewith, and all rights of parties in interest to seek relief from this Order under section 362(d) of the Bankruptcy Code are reserved.

11. Any party in interest may seek relief from this Order, as applied to the moving party, by motion or application to this Court. The motion or application may be heard on shortened notice if circumstances so warrant, but on not less than seven (7) days' notice to the Foreign Representative and any other party likely to be affected.

12. This Court retains jurisdiction over enforcement, amendment, or modification of this Order, any request for additional relief or any adversary proceeding in the chapter 15 case, and any request for relief from this Order for cause shown.

Signed on May 22, 2026



/s/ Maria L. Oxholm

**Maria L. Oxholm
United States Bankruptcy Judge**