

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLORADO**

In re:)	
)	
NILEX USA INC.)	Chapter 15
)	Case No. 22-14719 KHT
Debtor in Foreign Proceeding.)	

**MOTION FOR EXPEDITED HEARING ON PROPOSAL TRUSTEE’S
EX PARTE MOTION FOR ORDER TO SHOW CAUSE WITH TEMPORARY
RESTRAINING ORDER AND, AFTER NOTICE AND A HEARING, PRELIMINARY
INJUNCTIVE RELIEF, PURSUANT TO SECTIONS 105(a) AND 1519 OF THE
BANKRUPTCY CODE**

KSV Restructuring Inc. (“**KSV**”), in its capacity as Proposal Trustee (the “**Proposal Trustee**”) and authorized foreign representative of Nilex USA Inc. (together with Nilex Inc. the “**Nilex Debtors**”) in the proceeding (the “**Canadian Nilex USA Proceeding**”¹), commenced by the filing of a notice of intention to make a proposal (an “**NOI**”) pursuant to section 50.4 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (the “**BIA**”) on November 24, 2022 and currently pending in the Court of King’s Bench of Alberta, Canada (the “**Alberta Court**”) by and through its undersigned counsel, Lewis Roca Rothgerber Christie LLP, respectfully files this motion (the “**Motion**”), to expedite the hearing on its Ex Parte Motion For Order to Show Cause With Temporary Restraining Order and, After Notice and a Hearing, Preliminary Injunctive Relief, Pursuant to Sections 105(a) and 1519 of the Bankruptcy Code (the “**Injunction Motion**”), and scheduling a hearing on the Proposal Trustee’s request for a preliminary injunction as set forth therein, and states as follows:

¹ The Canadian Nilex USA Proceeding, together with similar proceedings commenced by Nilex Inc. on October 27, 2022 are collectively referred to herein as the “**Canadian Proceedings.**”

1. The Proposal Trustee seeks an expedited hearing on its Injunction Motion because, as set forth more fully in the Injunction Motion, the temporary restraining order requested therein (which will enjoin creditors from taking actions against Nilex USA, its assets or the Proposal Trustee) is necessary to the Proposal Trustee's efforts in the Canadian Proceedings. The Proposal Trustee further submits that irreparable harm will occur if the temporary restraining order is not entered as soon as possible. Accordingly, it is essential that the Proposal Trustee obtain the temporary restraining order on an expedited basis.

2. The Proposal Trustee respectfully requests that the Court schedule expedited hearings on the Injunction Motion.

WHEREFORE, the Proposal Trustee respectfully requests that the Injunction Motion be heard on an expedited basis, and requests such other relief as this Court deems just and proper.

Dated: December 2, 2022

Respectfully submitted,

KSV RESTRUCTURING INC.,
as Proposal Trustee and authorized foreign
representative of the Nilex Debtors

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