

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE JUSTICE)
)
CAVANAGH)
)
)

WEDNESDAY, THE 14TH
DAY OF FEBRUARY, 2024

**IN THE MATTER OF THE BANKRUPTCY OF PROEX LOGISTICS INC., GURU
LOGISTICS INC., 1542300 ONTARIO INC. AND 2221589 ONTARIO INC.**

PRIOR CLAIMS ORDER

THIS MOTION, made by KSV Restructuring Inc. in its capacity as Trustee and trustee (in its capacity as the “**Trustee**”) of Proex Logistics Inc. (“**Proex**”), Guru Logistics Inc. (“**Guru**”), 1542300 Ontario Inc. (operated as ASR Transportation) (“**ASR**”) and 2221589 Ontario Inc. (“**222**”) (the “**Bankrupt Entities**”), pursuant to the *Bankruptcy and Insolvency Act* (the “**BIA**”) for an order, authorizing the Trustee to use the proofs of claim filed in the Receivership Proceedings in these bankruptcy proceedings, and dispensing with the requirement that creditors of the Bankrupt Entities who have filed such proofs of claim, file an additional proof of claim in these bankruptcy proceedings, was heard by judicial videoconference via Zoom at Toronto, Ontario.

ON READING the Notice of Motion and the First Report of the Trustee dated February 7, 2024 (the “**Trustee’s Report**”) and on hearing the submissions of counsel for the Trustee, no one else appearing although duly served as evidenced by the Affidavit of Service of Stephanie Fernandes sworn February 8, 2024 filed.

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that the time for service of this motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that any capitalized term used and not defined herein shall have the meaning ascribed thereto in the Trustee's Report.

CLAIMS PROCESS

3. **THIS COURT ORDERS** that all claims filed in the Receivership Proceedings with respect to the Bankrupt Entities, shall be used in the bankruptcy proceedings of the Bankrupt Entities and a creditor who has filed a Proof of Claim (as defined in the Claims Procedure Order dated September 16, 2021) in the Receivership Proceedings shall not be required to file an additional proof of claim in the bankruptcy proceedings of the Bankrupt Entities and any Proof of Claim filed in the Receivership Proceeding shall be deemed to have been filed in the applicable bankruptcy proceeding prior to the first meeting of creditors.

GENERAL

4. **THIS COURT ORDERS** that nothing in this Order derogates from any rights that the Trustee may have pursuant to the applicable provisions of the BIA or applicable legislation.
5. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States or any other jurisdiction to give effect to this Order and to assist the Trustee and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Trustee, as an officer of this Court, as may be necessary or desirable

to give effect to this Order and to assist the Trustee and its agents in carrying out the terms of this Order.

6. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:02 AM on the date of this Order without the need for entry or filing.

IN THE MATTER OF THE BANKRUPTCY OF PROEX LOGISTICS INC., GURU LOGISTICS INC., 1542300 ONTARIO INC. AND 2221589 ONTARIO INC.

Court File No.: BK-24-03014702-0031

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PROCEEDING COMMENCED AT
TORONTO**

PRIOR CLAIMS ORDER

CASSELS BROCK & BLACKWELL LLP

Suite 3200, Bay Adelaide Centre – North Tower
40 Temperance St.
Toronto, ON M5H 0B4

Natalie Levine LSO #: 64908K

Tel: 416.860.6568
Fax: 416.640.3207
Email: nlevine@cassels.com

John Picone LSO #: 58406N

Tel: 416.640.6041
Fax: 416.350.6924
Email: jpicone@cassels.com

Stephanie Fernandes LSO #: 85819M

Tel: 416.860.6481
Fax: 416.360.8877
Email: sfernandes@cassels.com

Lawyers for KSV Restructuring Inc. in its capacity as Trustee