



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-24-00716192-00CL & CV-24-
00716267-00CL

DATE: March 21, 2024

NO. ON LIST: 1 & 2

TITLE OF PROCEEDING: THE TORONTO-DOMINION BANK v SKYLINK EXPRESS INC. et al
& SKYLINK EXPRESS INC.

BEFORE: Justice Cavanagh

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Rachel Moses	THE TORONTO-DOMINION BANK	rmoses@foglers.com;

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Jennifer Stam	SKYLINK EXPRESS INC.	Jennifer.stam@nortonrosefulbright.com
Jeff Larry	MOMENTUM DECISIVE SOLUTIONS CANADA INC.	jeff.larry@paliareroland.com;

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Jane Dietrich	Bobby Kofman, Monitor	jdietrich@cassels.com;
Aryo Shalviri	United Parcel Service	aryo.shalviri@blakes.com;

ENDORSEMENT

[1] On March 11, 2024, the Applicant obtained protection under the CCAA pursuant to an initial order of this Court.

[2] The Applicant moves for an Amended and Restated Initial Order.

[3] I have reviewed the motion materials including the First Report of the Monitor and I heard brief submissions from counsel for the Applicant, counsel for the Monitor, and counsel for TD. I am satisfied that the requested relief should be granted.

[4] The receivership application by TD was adjourned to today. The Applicant and TD are negotiating the terms of a forbearance and escrow agreement. The parties agree that the *status quo*, as set out in para. 32 of my March 11, 2024 endorsement, will continue.

[5] Order to issue in form of Order signed by me today.

Justice Cavanagh

Date: March 21, 2024