

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF an application of Grant
Thornton Limited, as Court-appointed Monitor
of Big Erics Inc. and Terra Nova Old Port Foods Inc.

AND IN THE MATTER OF the *Companies'*
Creditors Arrangement Act, R.S.C. 1985,
c. C-36, as amended

NOTICE OF DISTRIBUTION

On July 18, 2023 Big Erics Inc. ("**BEI**") and Terra Nova Old Port Foods Inc. ("**TNOPFI**") were granted relief by the Supreme Court of Newfoundland and Labrador (the "**Court**") to convert proceedings filed under Notices of Intention to Make a Proposal to a proceeding under the *Companies Creditors' Arrangement Act*, R.S.C. 1985, c. C-36, as amended ("**CCAA**"). The Court issued an order granting for, amongst other things, the appointment of Grant Thornton Limited as Monitor (in such capacity as, the "**Monitor**") and for a stay of proceedings to July 28, 2023. The stay of proceedings has been subsequently extended throughout the CCAA proceedings, most recently to January 31, 2025.

**THE MONITOR IS HEREBY PROVIDING NOTICE TO YOU OF ITS INTENTION TO MAKE
APPLICATION TO THE COURT FOR A FINAL DISTRIBUTION ORDER**

The funds held in trust with the Monitor are with regards to the sale of certain assets (the "**Purchased Assets**") of BEI only. **The objective of this process is to identify creditor(s) and amounts of claim that have priority to the first secured creditor, the Bank of Montreal.** This notice is only applicable to the creditors of BEI. No distribution is available to the creditors of TNOPFI.

The sale proceeds of the Purchased Assets of BEI are insufficient to repay the secured creditors of BEI. This notice is provided to the creditors of BEI who may have a priority claim against BEI, which would be limited as follows:

1. **Post Filing Claim** – Claims against BEI for services performed after July 3, 2023 to or before May 10, 2024;
2. **Restructuring Claim** – Claims against BEI for the disclaimer or resiliation of agreements pursuant to Section 32 of the CCAA, or for BEI contracts not assumed by the purchaser of the Purchased Assets and in priority to the secured claim of the Bank of Montreal;

3. **Director and Officer Claim** – Claims against the current, or former, directors and/or officers of BEI; and
4. **Pre-filing Priority Claim** – Claims against BEI for services performed prior to July 3, 2023, but in priority to the secured claim of the Bank of Montreal.

Request of the Monitor

The Monitor is hereby requesting creditors to file a proof of claim with the Monitor to advance a Post Filing Claim, Restructuring Claim, Director and Officer Claim and/or a Pre-Filing Priority Claim (collectively the “**Priority Claim(s)**”) and provide support thereof. The Monitor will review each Priority Claim received to determine if it is in priority to BEI’s secured creditors. The Monitor intends to request that the Court issue an order, in conjunction with the distribution order, **barring any claims submitted to the Monitor after December 13, 2024.** The Monitor is requesting creditors to provide its notice of a Priority Claim prior to this date to avoid their claim from being statute barred, should the Court grant the Monitor’s intended requested relief.

If you believe you have a Priority Claim you **MUST** file a proof of claim with the Monitor. All proof of claims must be received by the Monitor **before 5:00pm (Newfoundland and Labrador Standard Time) on December 13, 2024.**

The former employees of BEI who are beneficiaries to the key employee retention plan (“**KERP**”) charge granted by the Court on July 28, 2023 need not notify the Monitor of this Priority Claim. The Monitor will be seeking in its application a distribution of the Court approved KERP payments to these former employees.

Submission of a Claim to the Monitor does not guarantee acceptance and/or inclusion to the Monitor’s intended application for a distribution order. Should a creditor disagree with the Monitor’s determination of its Priority Claim, the creditor can file materials and appear at the hearing, after seeing the distribution order. Notices of dispute are to be provided to the Monitor no later than 10 days prior to the date set to hear the motion:

Grant Thornton Limited

Court Appointed Monitor of Big Erics Inc. and Terra Nova Old Port Foods Inc.

1675 Grafton Street, Suite 1000

Halifax, NS, B3J 0E9

Email: Corey.Hines@doane.gt.ca and Ben.Chisholm@doane.gt.ca

Creditors are encouraged to review the relevant materials to these CCAA proceedings as provided for on the Monitor’s website: www.DoaneGrantThornton.ca/BigErics.

Additional proof of claim forms can be obtained by contacting the Monitor at the telephone number and address indicated above and providing particulars as to name, address and facsimile number or email address. Proofs of claims and related materials may also be accessed from the Monitor’s Website at www.DoaneGrantThornton.ca/BigErics.

DATED at Halifax, Nova Scotia this 13 day of November, 2024.

Grant Thornton Limited

Solely in its capacity as Monitor of
Big Erics Inc. and Terra Nova Old Port Foods Inc.
and not in its personal nor corporate capacity



Phil Clarke, CPA, CA, CIRP, LIT
Senior Vice President

Attachments – Proof of Claim Form with Instructions