

2022 01G 0709

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

IN THE MATTER OF the *Companies*
Creditors Arrangement Act R.S.C., 1985 c. C-
36 as Amended (the "CCAA")

AND IN THE MATTER OF an application of
Grant Thornton Limited, as Court- Appointed
Monitor of Canada Fluorspar (NL) Inc.,
Canada Fluorspar Inc., and Newspar
(collectively, "CFI" or the "Company"); and

AND IN THE MATTER OF a Plan of
Compromise or Arrangement of the
Company;

SUMMARY OF CURRENT DOCUMENT	
Court File Number (s):	2022 01G 0709
Date of Filing of Document:	30 May, 2022
Name of Filing Party or Person:	Applicant, Canada Fluorspar (NL) Inc., Canada Fluorspar Inc., and Newspar (collectively, "CFI" or the "Company"), by their Court Appointed Monitor, Grant Thornton Limited
Application to which Document being filed relates:	Re: Application to make changes to the Amended and Restated Initial Order dated 18 March 2022 (the "ARIO") and the Order concerning the Sales Investment and Solicitation Process dated 18 March 2022, including the procedures included therein (the "SISP Order"); and seeking a declaration pursuant to s.5(5) of <i>Wage Earners Protection Program Act</i> S.C. 2005, c.47, s.1 ("WEPPA")
Statement of purpose in filing:	To seek changes to the ARIO, SISP Order, and for a declaration pursuant to section 5(5) of WEPPA;
Court Sub-File Number, if any:	N/A

AFFIDAVIT

I, Melissa Spearns, of the Town of St. Lawrence, in the Province of Newfoundland and Labrador, make oath and say as follows:

1. I am Human Resources Manager with the Company and am authorized to give this affidavit in support of the within application. The information set out in the within application is true to the best of my knowledge, information, and belief.
2. As set out in the within application, between February 21st and 25th, in the face of the impending liquidity crisis facing the Company, and the pending insolvency proceedings, the Company began an employee termination plan whereby it terminated approximately 211 employees. These terminations were considered final. The standard form termination letters used for these terminations is attached hereto as **Exhibit "A"**.
3. As set out in the within application, following its appointment as Interim Receiver, GTL terminated two (2) employees of the Company. Copies of those termination letters are attached hereto as **Exhibit "B"**.
4. As set out in the within application, on March 8th GTL were appointed CCAA Monitor for the Company. Between March 8th and present the Company terminated another 15 employees. These terminations are considered final. The Company has retained 37 employees which were considered the minimum number required for care and maintenance of the Company and to wind down the Company's operations pending a sale of the Company's assets, or alternatively, a liquidation or bankruptcy of the Company.
5. I make this affidavit in support of the within application and for no other purpose.

SWORN at the Town of St. Lawrence,
in the Province of Newfoundland and
Labrador this 27 day of May 2022,
before me



Commissioner, notary public, etc.



Melissa Spearns

AMANDA EDWARDS

A Commissioner for Oaths in and for the
Province of Newfoundland and Labrador.

My Commission expires on December 31, 2027



This is Exhibit A to the affidavit of
Meissa Spradley sworn before me on the
27 day of May 20 22,
St. Lawrence, NL

EXHIBIT "A"

Amanda Edwards

AMANDA EDWARDS

A Commissioner for Oaths in and for the
Province of Newfoundland and Labrador.
My Commission expires on December 31, 2027

Town Manager - Town of St. Lawrence



STRICTLY PRIVATE & CONFIDENTIAL

DELIVERED VIA EMAIL

February 22, 2022

Name
(Street Address)
(Town/City), (Province) (Postal Code)

Dear First Name:

RE: Notice of Termination

We understand that application is being made today at the Supreme Court of Newfoundland and Labrador (General Division) to place Canada Fluorspar (NL) Inc. ("CF(NL)I" or the "Company") into receivership. We regret to inform you that operations at CF(NL)I in St. Lawrence will cease on, February 21, 2022, and your employment will be terminated effective immediately.

In accordance with section 57 of the *Labour Standards Act*, you will be provided with 12 weeks' pay in lieu of notice. This notice of intention to terminate also includes notice of termination owed to you by CF(NL)I pursuant to section 55 of the *Labour Standards Act*.

You will be paid all outstanding wages and unpaid accrued vacation pay owing to you. In addition, we wish to advise that all employment benefits shall terminate effectively immediately, and you should make the necessary arrangements to replace these benefits should you so desire. To convert your group benefits into an individual plan, please contact Manulife Group Benefits 1-844-732-4237 within 30 days.

All contributions to the RRSP/DPSP plan will cease effective today. For termination options of the plan, please contact Manulife Group Retirement: 1-888-727-7766.

Your Record of Employment (ROE) will be submitted electronically to Service Canada within 14 days. Thereafter, you can access your ROE through the Service Canada website.

We require that any Company property, including without limitation, any Company-issued equipment, documents, security passes and keys in your possession be returned to **Melissa Spearns, Human Resources Manager**, by the end of today.

If you require assistance, please contact Melissa Spearns at 873-3331X119 or email, mspearns@canadafluorspar.com.

CANADA FLUORSPAR (NL) INC.

P.O. Box 337, St. Lawrence, NL, A0E 2V0 • Tel (709) 873-3331 • Fax (709) 873-3335



STRICTLY PRIVATE & CONFIDENTIAL

We would like to thank you for your contributions to CF(NL)I and extend our best wishes to you in your future endeavors.

Yours truly,

Canada Fluorspar (NL) Inc.

Melissa Spearns

Melissa Spearns
Human Resources Manager

CANADA FLUORSPAR (NL) INC.

P.O. Box 337, St. Lawrence, NL, A0E 2V0 • Tel (709) 873-3331 • Fax (709) 873-3335

This is Exhibit B to the affidavit of
Meissa Spence sworn before me on the
27 day of May 2022.
St. Lawrence, NL

EXHIBIT "B"

Amanda Edwards

AMANDA EDWARDS

A Commissioner for Oaths in and for the
Province of Newfoundland and Labrador.

My Commission expires on December 31, 2027.

Town Manager - Town of St. Lawrence



DELIVERED VIA EMAIL

February 22, 2022

Casey Walsh
158 Mcrae Drive
Toronto, ON

Grant Thornton Ltd
Nova Centre, North Tower
Suite 1000, 1675 Grafton Street
Halifax, NS
B3J 0E9

T +1 902 421 1734
F +1 902 420 1068

Dear Casey:

RE: Notice of Termination

An application was made and yesterday at the Supreme Court of Newfoundland and Labrador (General Division) placed Canada Fluorspar (NL) Inc. ("CF(NL)I" or the "Company") into receivership. We regret to inform you that operations at CF(NL)I in St. Lawrence will cease, February 21, 2022, and your employment will be terminated effective today.

In accordance with section 57 of the Labour Standards Act, you are entitled to 12 weeks' pay in lieu of notice. This notice of intention to terminate also includes notice of termination owed to you by CF(NL)I pursuant to section 55 of the Labour Standards Act.

You will be paid all outstanding wages owing to you. In addition, we wish to advise that all employment benefits shall terminate effectively immediately, and you should make the necessary arrangements to replace these benefits should you so desire. To convert your group benefits into an individual plan, please contact Ryco Financial at 722-4100 within 30 days.

All contributions to the RRSP/DPSP plan will cease effective today. For termination options of the plan, please contact Ryco Financial at 722-4100.

Your Record of Employment (ROE) will be submitted electronically to Service Canada within 14 days. Thereafter, you can access your ROE through the Service Canada website.

We require that any Company property, including without limitation, any Company-issued equipment, documents, security passes and keys in your possession be returned to **Melissa Spearns, Human Resources Manager**, with arrangements agreed with her by the end of today.



If you require assistance, please contact Melissa Spearns at 873-3331X119 or email, mspearns@canadafluorspar.com.

We would like to thank you for your contributions to CF(NL)I and extend our best wishes to you in your future endeavors.

Yours truly,

Grant Thornton Limited

In its capacity as Interim Receiver of Canada Fluorspar (NL) Inc. and not in its personal capacity



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



DELIVERED VIA EMAIL

February 22, 2022

Bill Dobbs
200 Burton Lane
Lawrence, NY 11559

Dear Bill:

RE: Notice of Termination

An application was made and yesterday the Supreme Court of Newfoundland and Labrador (General Division) placed Canada Fluorspar (NL) Inc. ("CF(NL)" or the "Company") into receivership. We regret to inform you that operations at CF(NL) in St. Lawrence will cease, February 21, 2022, and your employment will be terminated effective today.

In accordance with section 57 of the Labour Standards Act, you are entitled to 12 weeks' pay in lieu of notice. This notice of intention to terminate also includes notice of termination owed to you by CF(NL) pursuant to section 55 of the Labour Standards Act.

You will be paid all outstanding wages owing to you. In addition, we wish to advise that all employment benefits shall terminate effectively immediately, and you should make the necessary arrangements to replace these benefits should you so desire. To convert your group benefits into an individual plan, please contact Ryco Financial at 722-4100 within 30 days.

All contributions to the RRSP/DPSP plan will cease effective today. For termination options of the plan, please contact Ryco Financial at 722-4100.

Your Record of Employment (ROE) will be submitted electronically to Service Canada within 14 days. Thereafter, you can access your ROE through the Service Canada website.

We require that any Company property, including without limitation, any Company-issued equipment, documents, security passes and keys in your possession be returned to Melissa Spearns, Human Resources Manager, with arrangement agreed with her by the end of today.

Grant Thornton Ltd
Nova Centre, North Tower
Suite 1000, 1675 Grafton Street
Halifax, NS
B3J 0E9
T +1 902 421 1734
F +1 902 420 1068



If you require assistance, please contact Melissa Spearns at 873-3331 X119 or email, mspearns@canadafluorspar.com.

We would like to thank you for your contributions to CF(NL)I and extend our best wishes to you in your future endeavors.

Yours truly,

Grant Thornton Limited

In its capacity as Interim Receiver of Canada Fluorspar (NL) Inc. and not in its personal capacity

A handwritten signature in blue ink, appearing to read "Phil Clarke", is written over the printed name.

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