

2022 01G 0709

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 92834 Newfoundland and Labrador Inc. ("92834" or the "Company"); and

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

ORDER

Before the Honourable Justice MacDonald;

THIS APPLICATION, made by Grant Thornton Limited ("GTL" or the "Monitor"), in its capacity as Court-Appointed Monitor of the Company, pursuant to the CCAA for an Order substantially in the form filed with the Application heard on this 25th day of January 2024.

ON READING the affidavit of Phil Clarke sworn on the 22nd day of January, 2024 (the "Monitor Affidavit") and the Exhibits thereto and the Monitor's Eleventh Report;

UPON HEARING Counsel for the Monitor and other counsel as they may appear;

IT IS HEREBY ORDERED:

1. THAT the time for service of the within Notice of Motion and materials filed, as set out in the affidavit of service is hereby deemed adequate notice so that this Application is properly returnable today and this Court hereby dispenses with further service thereof.
2. THAT all terms not otherwise defined herein shall have the meaning ascribed to them in the Amended and Restated Initial Order of this Court dated March 18th, 2022 (the "ARIO"), Amendment #1 of ARIO dated June 10th, 2022 (the "Amended ARIO"), Amendment #2 to the



ARIO dated August 30th, 2022 (" 2nd Amended ARIO "), the Amendment #3 to the ARIO dated October 12th 2022 (" 3rd Amended ARIO"), the Amendment # 4 to the ARIO dated February 21st, 2023 ("4th Amended ARIO"), the Amendment #5 to the ARIO dated the May 18, 2023 ("5th Amended ARIO"), the Amendment #6 to the ARIO dated June 7, 2023 ("6th Amended ARIO"), and the Amendment #7 to the ARIO dated October 25, 2023 (" 7th Amended ARIO"), the Monitor's Affidavit and the Monitor's Eleventh Report dated January 23, 2024;

EXTENSION TO THE STAY PERIOD

1. **THIS COURT ORDERS** that the current Stay Period under the CCAA be and is hereby extended to and including the 30th day of June 2024.

DISTRIBUTION OF FUNDS

2. **THIS COURT ORDERS** that the distribution of funds by the Monitor in an amount of \$773,771.22 being \$272,892.76 to the priority claimants and \$500,878.46 to Bridging as set out in the Monitor's Eleventh Report is hereby approved.
3. **THIS COURT ORDERS** that should any claimant appeal the Monitor's proposed distribution of funds by February 15, 2024, the Monitor shall remit the funds subject to the appeal to the Court and reduce the distribution to Bridging accordingly.

BANKRUPTCY OF 92834

4. **THIS COURT ORDERS** that upon distribution of funds by the Monitor as set out in the Monitor's Eleventh Report, the Stay of Proceedings is lifted such that the Monitor be and is hereby empowered to make an assignment into bankruptcy of 92384.

APPROVAL OF THE MONITOR'S ELEVENTH REPORT

5. **THIS COURT ORDERS** that the Monitor's Eleventh Report and the activities of the Monitor and its counsel referred to therein be and are hereby approved; provided, however, that only the

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Monitor, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 25 day of Jan
2024.

E. Miller

**COURT
OFFICER**

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