

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE
OR ARRANGEMENT OF **JTI-MACDONALD CORP.**

AND IN THE MATTER OF A PLAN OF COMPROMISE
OR ARRANGEMENT OF **IMPERIAL TOBACCO CANADA LIMITED**
AND **IMPERIAL TOBACCO COMPANY LIMITED**

AND IN THE MATTER OF A PLAN OF COMPROMISE
OR ARRANGEMENT OF **ROTHMANS, BENSON & HEDGES INC.**

**UNOFFICIAL TRANSCRIPT OF ENDORSEMENT
OF JUSTICE MCEWEN
Released April 6, 2021**

See attached Counsel Slip for list of counsel

The motions to extend the stay periods in all three proceedings up to and including September 30, 2021 were heard on March 30, 2021.

On that day, I granted the extensions requested.

With one exception, which will be discussed, the extensions sought are either unopposed or on the consent of the stakeholders.

The Monitors also support the stay extensions.

The submissions and filed materials demonstrate that the mediation is progressing well.

The Applicants all have sufficient liquidity.

Overall, it is sensible to allow the mediation process to continue.

The one exception involves The Ontario Flue-Cured Tobacco Growers' Marketing Board (the "**Growers**"). The Growers seek to lift the stays only as against them.

As I indicated at the hearing, I decline to do so at this time.

The Growers have not filed any motion materials to support their position. They rely, instead, on a six page written submission which is inadequate. A proper motion record, including evidence, is required.

If the Growers plan to seek an order lifting the stays against them, they will have to deliver their motion materials.

Upon review, I will determine whether the motion will be heard, and if so, set a timetable for responding materials.

In the interim, I urge the Growers to engage in the mediation process.

"McEwen, J."

Court File Number: CV-19-615862-00CL

Superior Court of Justice CV-19-616077-00CL
Commercial List CV-19-616779-00CL

FILE/DIRECTION/ORDER

Re: CPAA of JTI-MacDonald/Imperial/RBH
Plaintiff(s)

AND

Defendant(s)

Case Management Yes No by Judge: McEwen J

Counsel	Telephone No:	Facsimile No:
<u>(see attached)</u>		

- Order Direction for Registrar (No formal order need be taken out)
 Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- Adjourned to: _____
 Time Table approved (as follows):

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6 April 21
Date

McEwen J
Judge's Signature

Additional Pages three

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Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

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Superior Court of Justice
Commercial List

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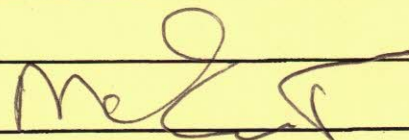
Judges Endorsment Continued

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COMMERCIAL LIST

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