

TRUIST BANK

v

KEW MEDIA GROUP
et al.

① Ordered to go on the
Terms of the attached

Hairy J.

January 18, 2021

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

THE HONOURABLE)

JUSTICE)

HAINES)

_____, THE

18th

DAY OF JANUARY, 2021

TRUIST BANK, AS AGENT

Applicant

- and-

KEW MEDIA GROUP INC. and KEW MEDIA INTERNATIONAL (CANADA) INC.

Respondents

**APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985 C. B-3, AS AMENDED, AND SECTION 101 OF THE
COURTS OF JUSTICE ACT, R.S.O. 1990, C. C-43, AS AMENDED**

ORDER

**(Extending Time for Service of the Statement of Claim and
Removing Thornton Grout Finnigan as Class Counsel)**

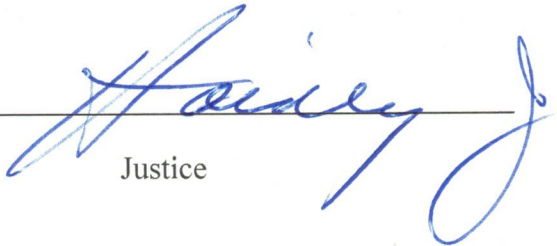
THIS MOTION, made by Alex Kan and Stuart Rath (the “**Plaintiffs**”) in a putative securities class proceeding against Kew Media Group Inc. and certain of its former officers and directors (the “**Action**”) for an Order extending the time for service of the Statement of Claim, issued pursuant to the Lift Stay Order of this Court dated July 14, 2020 (the “**Lift Stay Order**”), was heard this day in Toronto, Ontario, by video conference via Zoom.

ON READING the Motion Record filed by the Plaintiffs;

AND UPON being advised that FTI Consulting Canada Inc., in its capacity as the Court-appointed receiver of the undertakings, property and assets of Kew Media Group Inc. and Kew Media International (Canada) Inc., takes no position on the within Motion;

AND UPON hearing the submissions of counsel for the Plaintiffs and counsel for the Receiver, no one else appearing for any other person on the Service List, although duly served as appears from the affidavit of service of Sarah A. Bowden sworn January 15, 2021, filed;

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record herein be and is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the time for service of the Statement of Claim on the defendant, Kew Media Group Inc., is extended to July 13, 2021.
3. **THIS COURT ORDERS** that the appointment of Thornton Grout Finnigan ^{LLP} as Class Counsel made pursuant to paragraph 10 of the Lift Stay Order is revoked.
4. **THIS COURT ORDERS** that this Order is effective from today's date and is not required to be entered.


Justice

TRUIST BANK, AS AGENT

Applicant

-and-

KEW MEDIA GROUP INC. and KEW MEDIA INTERNATIONAL (CANADA) INC.

Respondents

Court File No: CV-20-00637081-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
Proceeding Commenced at TORONTO**

ORDER

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