# SCHEDULE "A" EMPLOYEE CLAIM STATEMENT

(Letterhead of the Monitor)

[DATE], 2021

Dear:

Re: Employee Claims in the CCAA Proceedings of FIGR Brands, Inc. *et al* (Court File: CV-21-00655373-00CL)

As you know, FIGR Brands, Inc., FIGR Norfolk Inc. and Canada's Island Garden Inc. (together, the "Applicants") filed for and were granted creditor protection under the *Companies' Creditors Arrangement Act* (Canada) (the "CCAA"), pursuant to an order (as amended, the "Initial Order") of the Ontario Superior Court of Justice (Commercial List) (the "Court") (the "CCAA Proceedings"). Pursuant to the Initial Order, the Court appointed FTI Consulting Canada Inc. as monitor of the Applicants (in such capacity, the "Monitor") to, among other things, oversee the CCAA Proceedings. Terms not otherwise defined herein have the meaning ascribed to them in the Employee Claims Procedure Order dated April 30, 2021 (the "Employee Claims Procedure Order"). Copies of the Initial Order, the Employee Claims Procedure Order and other information

relating to the CCAA Proceedings has been posted to: <a href="http://cfcanada.fticonsulting.com/figr/">http://cfcanada.fticonsulting.com/figr/</a> (the "Monitor's Website").

The purpose of this notice is to inform you about the employee claims process (the "Employee Claims Process") that was approved by the Court pursuant to the Employee Claims Procedure Order. The Employee Claims Process governs employee claims to be asserted against the Applicants and their Directors and Officers in the CCAA Proceedings (collectively, the "Employees" and each an "Employee"). The Employee Claims Process, as it relates to Employee claims (each an "Employee Claim"), is described below.

#### **Employee Claims Process**

- Under the Employee Claims Process, the Monitor is required to send a notice prepared by the Applicants, in consultation with the Monitor, to each Employee outlining the quantum of their Employee Claim against the Applicants and the Directors and Officers that the Monitor is prepared to allow (each a "Employee Claim Statement").
- This notice is your Employee Claim Statement, and your total Employee Claim has been assessed by the Monitor, in consultation with the Applicants. Please refer to Appendix [●] for a copy of your Employee Claim Statement as of [●], 2021.

If you agree with the Employee Claim Statement, you need take no further action.

## IF YOU WISH TO DISPUTE THE ASSESSMENT OF YOUR EMPLOYEE CLAIM, YOU MUST TAKE THE STEPS OUTLINED BELOW.

#### **Disagreement with Assessment:**

If you disagree with the assessment of your Employee Claim set out in this Employee Claim Statement, you must complete and return to the Monitor a completed Notice of Dispute of Employee Claim Statement asserting a claim in a different amount supported by the appropriate documentation. A blank Notice of Dispute of Employee Claim Statement form is enclosed. The Notice of Dispute of Employee Claim Statement with supporting documentation disputing the within assessment of your claim must be received by the Monitor no later than 5:00 p.m. (Toronto Time) on the day which is thirty (30) Calendar Days after the Monitor sends the Employee Claims Package (the "Employee Claims Bar Date").

If no such Notice of Dispute of Employee Claim Statement is received by the Monitor by that date, the amount of your claim will be, subject to further order of the Court, conclusively deemed to be as shown in this Employee Claim Statement.

The Notice of Dispute of Employee Claim Statement will be sufficiently received <u>only</u> if delivered by email, or if an Employee is unable to do so, and after notifying the Monitor of the method of delivery via the telephone hotline (416.649.8128 or 1.844.669.6345), by prepaid registered mail, courier, or personal delivery addressed to:

FTI Consulting Canada Inc. TD Waterhouse Tower 79 Wellington Street West Suite 2010, P.O. Box 104 Toronto, ON M5K 1G8

Attention: Jeff Rosenberg / Jodi Porepa

Email: figr@fticonsulting.com

#### with copies to:

Cassels Brock & Blackwell LLP Suite 2100, Scotia Plaza 40 King Street West Toronto, ON M5H 3C2 Attention: Kieran May

Email: kmay@cassels.com

#### **Important Deadline:**

If you do not file a Notice of Dispute of Employee Claim Statement by the Employee Claims Bar Date, you will have no further right to dispute your Employee Claim against any of the Applicants or the Directors and Officers, as assessed by Monitor, in consultation with the Applicants, and you will be barred from filing any such dispute in the future.

### **More Information:**

If you have questions regarding the foregoing, you may contact the Monitor at <a href="figr@fticonsulting.com">figr@fticonsulting.com</a> or via the telephone hotline (416.649.8128 or 1.844.669.6345).

Yours truly,