

Court File Number: CV-19-616077-0001

Superior Court of Justice  
Commercial List

**FILE/DIRECTION/ORDER**

Re: CCAA of Imperial Plaintiff(s)

AND

\_\_\_\_\_  
Defendant(s)

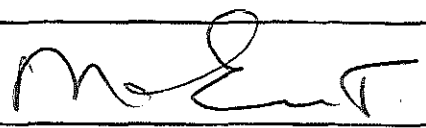
Case Management  Yes  No by Judge: \_\_\_\_\_

Counsel	Telephone No:	Facsimile No:

- 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):

On an unopposed basis, the endorsement shall go as per Schedule A attached.

6 March 20  
Date

  
Judge's Signature

Additional Pages \_\_\_\_\_

**ENDORSEMENT**

The initial order in these CCAA Proceedings issued on March 12, 2019, as amended and restated as of April 5, 2019 and further amended and restated as of April 25, 2019 (the "Initial Order") is further amended by inserting the following paragraphs immediately after paragraph 58 of the Initial Order:

59. THIS COURT ORDERS that, subject to paragraph 60, all motions in this proceeding are to be brought on not less than seven (7) calendar days' notice to all persons on the Service List. Each Notice of Motion shall specify a date (the "Return Date") and time for the hearing.

60. THIS COURT ORDERS that motions for relief on an urgent basis need not comply with the notice protocol described herein.

61. THIS COURT ORDERS that any interested Person wishing to object to the relief sought in a motion must serve responding motion material or, if they do not intend to file material, a notice in all cases stating the objection to the motion and the grounds for such objection in writing (the "Responding Material") to the moving party, the Applicants and the Monitor, with a copy to all Persons on the Service List, no later than 5 p.m. on the date that is four (4) calendar days prior to the Return Date (the "Objection Deadline").

62. THIS COURT ORDERS that, if no Responding Materials are served by the Objection Deadline, the judge having carriage of the motion (the "Presiding Judge") may determine:

- (a) whether a hearing is necessary;
- (b) whether such hearing will be in person, by telephone or by written submissions only; and
- (c) the parties from whom submissions are required

(collectively, the "Hearing Details"). In the absence of any such determination, a hearing will be held in the ordinary course.

63. THIS COURT ORDERS that, if no Responding Materials are served by the Objection Deadline, the Monitor shall communicate with the Presiding Judge regarding whether a determination has been made by the Presiding Judge concerning the Hearing Details. The Monitor shall thereafter advise the Service List of the Hearing Details and the Monitor shall report upon its dissemination of the Hearing Details to the Court in a timely manner, which may be contained in the Monitor's next report in the proceeding.

64. THIS COURT ORDERS that if any party objects to the motion proceeding on the Return Date or believes that the Objection Deadline does not provide sufficient time to respond to the motion, such objecting party shall, promptly upon receipt of the Notice of Motion and in any event prior to the Objection Deadline, contact the moving party and the Monitor (together with the objecting party and any other party who has served Responding Materials, the "Interested Parties") to advise of such objection and the reasons therefor. If the Interested Parties are unable to resolve the objection to the timing and schedule for the motion following good faith consultations, the Interested Parties may seek a scheduling appointment before the Presiding Judge to be held prior to the Return Date or on such other date as may be mutually agreed by the Interested Parties or as directed by the Presiding Judge to establish a schedule for the motion. At the scheduling appointment, the Presiding Judge may provide directions including a

schedule for the delivery of any further materials and the hearing of the contested motion, and may address such other matters, including interim relief, as the Court may see fit. Notwithstanding the foregoing, the Presiding Judge may require the Interested Parties to proceed with the contested motion on the Return Date or on any other date as may be directed by the Presiding Judge or as may be mutually agreed by the Interested Parties, if otherwise satisfactory to the Presiding Judge.

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