

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

THE HONOURABLE ) FRIDAY, THE 5<sup>TH</sup>  
 )  
MR. JUSTICE MCEWEN ) DAY OF APRIL, 2019

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  
IMPERIAL TOBACCO CANADA LIMITED AND  
IMPERIAL TOBACCO COMPANY LIMITED

Applicants

**ORDER  
(Insurance Settlements)**

This motion, made by the Quebec Class Action Plaintiffs for an order varying the Initial Order of Justice McEwen dated March 12, 2019 (the "**ITCAN Initial Order**") by partially lifting the stay of proceedings provided for in the ITCAN Initial Order, to the extent required, to allow the Quebec Class Action Plaintiffs to seek from the Honourable Justice Brian Riordan J.S.C. the approval of settlement agreements that they have entered into, respectively, with the Liquidator of Kansa General International Insurance Company Ltd. ("**Kansa**") in connection with claims asserted by the Quebec Class Action Plaintiffs in the Kansa liquidation proceedings (the "**Kansa Settlement**") and with the Liquidator of Northumberland General Insurance Company ("**Northumberland**") in connection with claims asserted by the Quebec Class Action Plaintiffs in the Northumberland liquidation proceedings (the "**Northumberland Settlement**"), related to policies of insurance issued in favour of Imperial Tobacco Canada Ltd. (collectively, the "**Insurance**

Settlements”), and for an order that the Insurance Settlements be sealed pending further order of the Court, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of Tina Silverstein sworn on March 27, 2019 and on hearing the submissions of counsel for the Quebec Class Action Plaintiffs, no party on the service list opposing although properly served as appears from the affidavit of Antoinette De Pinto sworn March 29, 2019, filed:

1. THIS COURT ORDERS that the ITCAN Initial Order is hereby varied by lifting the stay of proceedings provided for in the ITCAN Initial Order, to the extent required, to allow the Quebec Class Action Plaintiffs to seek the approval of the Kansa Settlement and of the Northumberland Settlement from the Honourable Justice Brian Riordan J.S.C.

2. THIS COURT ORDERS that the Insurance Settlements shall be sealed pending further order of the Court.



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**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**  
Proceedings commenced at TORONTO

**ORDER**

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