



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-23-00707394-00CL

DATE: March 26, 2024

NO. ON LIST: 1

TITLE OF PROCEEDING:

IN THE MATER OF
Tacora Resources Inc.

BEFORE JUSTICE: KIMMEL

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
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For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
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ENDORSEMENT OF JUSTICE KIMMEL :

1. This case conference was convened at the request of counsel for the company to seek procedural directions regarding the factums to be filed in connection with the four motions being heard on April 10, 11 and 12, 2024 (in this order):
 - a. Cargill's preliminary motion;
 - b. The Company's sale/RVO approval motion;
 - c. Cargill's cross-motion to the sale/RVO approval motion (anticipated that submissions on this will be combined with submissions on sale/RVO approval); and
 - d. The DIP replacement motion.
2. Factums have already been exchanged for the DIP replacement motion and the parties were directed by my endorsement released on March 25, 2024 to file supplementary submissions, if needed, in respect of that motion of up to no more than 3 pages double spaced each.
3. In terms of the other three motions, leave was granted today for some of the factums to be delivered in connection with these motions to exceed the 25 page limit, if necessary, based on the general parameters discussed among counsel for participating parties, as follows:
 - a. The Company will have up to 75 pages double spaced for its factums plus one reply factum of up to 5 pages if necessary;
 - b. The consortium of noteholders will have up to 75 pages double spaced for their joint factums;
 - c. Cargill will have up to 75 pages double spaced for its factums (but will also have up to an additional 15 pages if necessary for its factum responding to the two sale/RVO approval factums of the Company and the consortium of noteholders) and one reply factum of up to 5 pages if necessary.
4. If any party is unable to adhere to these parameters a further case conference may be scheduled. All parties are strongly encouraged to try to avoid duplication and to use less than the allotted number of pages if possible.
5. This is being recorded for the benefit of the court office so that factums exceeding the usual 25 page limit will be accepted for filing. Counsel may return for further directions if they are unable to stay within the parameters indicated today.
6. The Monitor will co-ordinate with all counsel regarding:
 - a. A proposed schedule for the time allocated to each of the four motions (three if sale/RVO and cross-motion are heard together as anticipated) and the time allotted for each counsel who will be making submissions on each motion so that all motions can be concluded within the three days allotted;
 - b. A proposal regarding the confidentiality concerns and requested sealing order by Cargill, with respect to the management of the CaseLines bundles to ensure that there is both a comprehensive publicly accessible bundle of material for this motion as well as a confidential bundle to contain, in addition to all of the publicly available material, the material over which a sealing order is being sought, keeping in mind the open court principle and the need to minimize that which will not be in the public court file pending the court's determination of the request for a sealing order. Based on the Monitor's recommendations the court will convene a further case conference if necessary or provide the appropriate directions to the Commercial List Office regarding the two bundles for this hearing and permitted access. The court will need to be provided with a comprehensive list (including names and email addresses) of who is proposed to be given access to the confidential bundle.



KIMMEL J.