



SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Direction

COURT FILE NO.: CV-19-616077-00CL

DATE: June 26, 2025

CV-19-616779-00CL

CV-19-615862-00CL

IMPERIAL TOBACCO CANADA LIMITED et al v. JTI-MACDONALD CORP. et al

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ROTHMANS, BENSON & HEDGES INC. v. IMPERIAL TOBACCO CANADA LIMITED et al

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JTI-MACDONALD CORP. et al v. BENSON & HEDGES INC. et al

DIRECTIONS RE: REQUEST FOR MEDIATOR'S ONGOING SERVICES

[1] In paragraph 50 of each of the Sanction Orders ("**Paragraph 50**") dated March 6, 2025, this Court empowered and authorized the Court-Appointed Mediator to provide ongoing services with respect to the implementation of the CCAA Plan and the performance of any additional functions as may be requested by the Monitors, the CCAA Plan Administrators, the Court or any other party at the discretion of the Court-Appointed Mediator.

[2] In addition to the powers granted in Paragraph 50 and services already provided, the Court hereby directs that the Court-Appointed Mediator, in collaboration with the Monitors, CCAA Plan Administrators, Tobacco Companies, and Claimants, to take all steps and actions, and to do all things, necessary or appropriate, in his sole discretion, with respect to the CCAA Plans (collectively, the "**Ongoing Services**") until further Order of this Court.

[3] In connection with the Ongoing Services provided by the Court-Appointed Mediator, the Court hereby confirms, until further Order of this Court, that:

- (1) the Court-Appointed Mediator Communication and Confidentiality Protocol authorized by the Court by endorsement issued on May 24, 2019 shall apply to all Ongoing Services which have been or may be provided by the Court-Appointed Mediator, such that any communications permitted, confidentiality obligations required or limitations on liability imposed by such protocol in connection with the Mediation Process shall apply, with any necessary conforming changes, in connection with such Ongoing Services; and
- (2) the protections afforded to the Court-Appointed Mediator, including, without limitation, under paragraph 51 and 52 of the Sanction Orders or any other Orders or endorsement of this Court, shall apply to all Ongoing Services which have been or may be provided by the Court-Appointed Mediator.


Chief Justice Geoffrey B. Morawetz

Dated: June 26, 2025