

**SUPREME COURT OF NOVA SCOTIA**

**IN THE MATTER OF:**        **Application by IMV Inc., Immunovaccine Technologies Inc. and IMV USA Inc. (the “Applicants”), for relief under the *Companies’ Creditors Arrangement Act***

**NOTICE OF MOTION  
(Returnable October 25, 2023)**

**To:    THE SERVICE LIST ATTACHED AT SCHEDULE “A”**

**Motion**

FTI Consulting Canada Inc. (“**FTI**”) in its capacity as Monitor (the “**Monitor**”) of IMV Inc., Immunovaccine Technologies Inc. and IMV USA Inc., moves for an order:

1. extending the Stay Period (as defined in the Amended and Restated Initial Order dated May 5, 2023, as further amended on September 27, 2023) until and including December 1, 2023; and
2. approving the Sixth Report of the Monitor dated October 20, 2023 (the “**Sixth Report**”) and the activities of the Monitor referred to therein.

**Time and place**

The motion is to be heard by a judge at 2:00 p.m. (Halifax time) on Wednesday, October 25, 2023, in the Halifax Law Courts virtually via Microsoft Teams at a link to be communicated to the Service List. The moving party has set the motion for a half day or less in chambers. The moving party acknowledges that the motion will not require more time.

**References**

The moving party relies on the following legislation, Rules, or points of law:

1. the provisions of the *Companies' Creditors Arrangement Act*, including sections 11, 11.02, and 18.6; and
2. the provisions of the *Nova Scotia Civil Procedure Rules*, Royal Gaz Nov 19, 2008, including Rules 2.03 and 23.

### **Evidence**

The evidence in support of the motion is as follows:

1. the Sixth Report, filed with this notice; and
2. such further and other evidence as the moving party may advise and this Honourable Court may permit.

### **Possible order against you**

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

### **Signature**

Signed October 20, 2023



---

**STIKEMAN ELLIOTT LLP**  
5300 Commerce Court West  
199 Bay Street  
Toronto, ON M5L 1B9

**Maria Konyukhova (LSO# 52880V)**  
Tel: (416) 869-5230  
Email: [mkonyukhova@stikeman.com](mailto:mkonyukhova@stikeman.com)

**Natasha Rambaran (LSO# 80200N)**  
Tel: (416) 869-5504  
Email: [nrambaran@stikeman.com](mailto:nrambaran@stikeman.com)

**SCHEDULE "A"**  
**[Attached]**

## SUPREME COURT OF NOVA SCOTIA

**IN THE MATTER OF:** Application by IMV Inc., Immunoassayed Technologies Inc. and IMV USA Inc. (the “Applicants”), for relief under the *Companies’ Creditors Arrangement Act*

<b>SERVICE LIST (As of October 19, 2023)</b>	
<p><b>McCarthy Tétrault LLP</b> 1000 De La Gauchetière Street West Suite MZ400 Montréal, QC H3B 0A2 <i>Counsel to the Applicants.</i></p>	<p><b>M<sup>tre</sup> Alain N. Tardif</b> Tel : 514.397.4274 E-mail : atardif@mccarthy.ca</p> <p><b>M<sup>tre</sup> Gabriel Faure</b> Tel: 514.397.4182 E-mail: gfaure@mccarthy.ca</p> <p><b>M<sup>tre</sup> François Alexandre Toupin</b> Tel: 514.397.4210 E-mail: fatoupin@mccarthy.ca</p>
<p><b>Stewart McKelvey</b> Queen’s Marque 600-1741 Lower Water Street Halifax, NS B3J 0J2 <i>NS Counsel to the Applicants</i></p>	<p><b>M<sup>tre</sup> Sara L. Scott</b> Tel : 514.397.4274 E-mail : sscott@stewartmckelvey.com</p>
<p><b>Aird &amp; Berlis LLP</b> Brookfield Place 181 Bay Street, Suite 1800 Toronto, ON M5J 2T9 <i>Counsel to the Horizon Technology Finance Corporation, as agent</i></p>	<p><b>M<sup>tre</sup> Miranda Spence</b> Tel : 416.865.3414 E-mail : mspence@airdberlis.com</p> <p><b>M<sup>tre</sup> Graham Topa</b> Tel: 416.865.4739 E-mail : gtopa@airdberlis.com</p> <p><b>M<sup>tre</sup> Kyle Plunkett</b> Tel: 416.865.3406 E-mail : kplunkett@airdberlis.com</p>
<p><b>Ropes &amp; Gray LLP</b> Prudential Tower 800 Boylston Street Boston, MA 02199-3600 <i>US Counsel to the secured creditor Horizon Technology Finance Corporation, as agent</i></p>	<p><b>M<sup>tre</sup> Cristine Schwarzman</b> Tel: 212.596.9635 E-mail : Cristine.Schwarzman@ropesgray.com</p> <p><b>M<sup>tre</sup> Patricia I. Chen</b> Tel : 617.951.7553 E-mail: patricia.chen@ropesgray.com</p>

<p><b>FTI Consulting Canada Inc.</b>  TD South Tower  79 Wellington Street West  Suite 2010, P.O. Box 104  Toronto, ON M5K 1G8</p> <p><i>Monitor</i></p>	<p><b>Jodi Porepa</b>  Tel : 437.332.5743  E-mail : Jodi.Porepa@fticonsulting.com</p> <p><b>Jeffrey Rosenberg</b>  Tel: 416.649.8073  E-mail: Jeffrey.Rosenberg@fticonsulting.com</p> <p><b>Adsaran Vithiyananthan</b>  E-mail :  Adsaran.Vithiyananthan@fticonsulting.com</p>
<p><b>Stikeman Elliot LLP</b>  5300 Commerce Court West  199 Bay Street  Toronto ON M5L 1B9</p>	<p><b>M<sup>tre</sup> Maria Konyukhova</b>  Tel : 416.869.5230  E-mail: mkonyukhova@stikeman.com</p> <p><b>M<sup>tre</sup> Natasha Rambaran</b>  Tel : 416.869.5504  E-mail: nrambaran@stikeman.com</p> <p><i>Counsel to the Appointed Monitor</i></p>
<p><b>Atlantic Canada Opportunities Agency</b>  Legal Services Department of Justice /  Government of Canada  PO Box 6051 644 Main Street  Moncton, NB E1C 9J8</p>	<p><b>M<sup>tre</sup> Corinne Godbout</b>  E-mail: Corinne.Godbout@ACOA-  APECA.GC.CA</p>
<p><b>Canada Revenue Agency</b></p>	<p><b>M<sup>tre</sup> Sophie Dupre</b>  Department of Justice  Tel: 902 407-7674  E-mail: Sophie.dupre@justice.gc.ca</p> <p><b>General address for service:</b>  E-mail:  notificationPGC-AGC.fiscal-tax@justice.gc.ca  notificationPGC-AGC.civil@justice.gc.ca</p>
<p><b>McInness Cooper</b>  1969 Upper Water Street  Suite 1300  McInness Cooper Tower – Purdy’s Wharf  Halifax, NS B3J 2V1</p>	<p><b>M<sup>tre</sup> Ben Durnford</b>  Tel: 902.444.8454  E-mail: ben.durnford@mcinnescooper.com</p>
<p><b>Nova Scotia Securities Commission</b></p>	<p><b>M<sup>tre</sup> Doug Harris</b>  Nova Scotia Securities Commission  E-mail : Doug.harris@novascotia.ca</p> <p><b>M<sup>tre</sup> Daniel Boyle</b>  Nova Scotia Department of Justice  E-mail: Daniel.Boyle@novascotia.ca</p>

<b>Powerscourt Investments XXV</b> 1251 Avenue of the Americas, 50th Floor New York, NY 10020	<b>Conan Sang</b> E-mail: CSang@waterfallam.com
<b>Borden Ladner Gervais LLP</b> Bay Adelaide Centre, East Tower 22 Adelaide St. W, Toronto, ON M5H 4E3  <i>Counsel to Zoetis</i>	<b>M<sup>tre</sup> Roger Jaipargas</b> Tel: 416.367.6266 E-mail: RJaipargas@blg.com  <b>M<sup>tre</sup> Krstina Skocic</b> Tel: 416.367.6451 E-mail: KSkocic@blg.com
<b>Fonds de solidarité FTQ</b>	<b>M<sup>tre</sup> Caroline Dion</b> Tel : 514.603.2812 E-mail: cdion@fondsftq.com
<b>XL Specialty Insurance Company</b> First Canadian Place 100 King Street West, Suite 3020 Toronto, Ontario M5X 1C9	<b>Virginia Jagoda</b> E-mail: Virginia.Jagoda@axaxl.com
<b>AIG Insurance Company of Canada</b> 120 Bremner Boulevard, Suite 2200 Toronto, Ontario M5J 0A8	E-mail: ebill@tripemco.com
<b>Allied World Specialty Insurance Company</b> 200 King Street West, Suite 1600 Toronto, Ontario M5H 3T4	<b>Ffiona McDonough</b> E-mail: Ffiona.McDonough@awac.com
<b>Chubb Insurance Company of Canada</b> 199 Bay Street, Suite 2500, 12th floor P.O. Box 139 Commerce Court Postal Station Toronto, Ontario, M5L 1E2	<b>Maria DiPietro</b> E-mail: Maria.DiPietro@Chubb.com
<b>Shareholder Group</b>	<b>M<sup>tre</sup> Jonathan Foreman</b> Tel: 519.914.1175 x 102 E-mail: jforeman@foremancompany.com

**Email distribution list:**

Atardif@mccarthy.ca; fatoupin@mccarthy.ca; sscott@stewartmckelvey.com;  
Adsaran.Vithiyananthan@fticonsulting.com; Jodi.Porepa@fticonsulting.com;  
Jeffrey.Rosenberg@fticonsulting.com; mkonyukhova@stikeman.com;  
nrambaran@stikeman.com; mspence@airdberlis.com; gtopa@airdberlis.com;  
kplunkett@airdberlis.com; Cristine.Schwarzman@ropesgray.com;  
patricia.chen@ropesgray.com; Corinne.Godbout@ACOA-APECA.GC.CA;  
Sophie.dupre@justice.gc.ca; notificationPGC-AGC.civil@justice.gc.ca;  
notificationPGC-AGC.fiscal-tax@justice.gc.ca; ben.durnford@mcinnescooper.com;  
Daniel.Boyle@novascotia.ca; Doug.harris@novascotia.ca; CSang@waterfallam.com;  
RJaipargas@blg.com; KSkocic@blg.com; cdion@fondsftq.com; Virginia.Jagoda@axaxl.com;  
ebill@tripemco.com; Ffiona.McDonough@awac.com; Maria.DiPietro@Chubb.com;  
jforeman@foremancompany.com