

April 19, 2022

To: All Creditors

Re: Notice of Intention to Make a Proposal ("NOI")

During the past two years the COVID-19 pandemic has impacted us all in ways that none could have predicted. Throughout this time, we have remained committed to doing everything possible to support our Gateway franchisees so they can emerge from the pandemic and thrive when things return to the new normal.

We are finally seeing positive signs of growth as people return to their workplaces, use transit, and go shopping. It is impossible to say whether any more setbacks are on the horizon, but we are hopeful that we've turned a page and can look forward to a better future.

To continue operating throughout the pandemic we have had to make some difficult choices. While we have received tremendous support from many of partners, we are emerging from the past two years with more liabilities than our business can support. To continue supporting our franchisees and our business into the future, we have made the decision that we need to restructure our debts.

Gateway Market Canada Inc., along with its affiliated companies, Tobmar Investments Inc. and Tobmar Investments International Inc. have each filed a Notice of Intention to Make a Proposal ("NOI") on April 19, 2022, under the provisions of the *Bankruptcy and Insolvency Act*. The NOI is a legal process that will permit us to restructure our financial affairs by making a proposal to our creditors. We will be working with our creditors on a restructuring plan, and hope to emerge with an improved ability to operate into the future.

As the economy continues to reopen and people return to their workplaces and normal routines, we and our franchisees will remain focused on providing service to our returning customers and growing our businesses. On behalf of our many franchisees who depend on our landlords, business partners and creditors for their livelihoods, we extend our sincere thanks and gratitude for your continued support during these challenging times.

Please feel free to reach out to us if you have any questions.

Gateway Market Canada Inc.

Per:



Mary Kelly
Chief Executive Officer
647-929-9371
mkelly@gatewaynewstands.ca



Kevin Farrell
Chief Operating Officer
416-566-5349
kfarrell@gatewaymarket.ca



April 22, 2022

To: Creditors of Tobmar Investments International Inc.

Re: In the Matter of the Notice of Intention to Make a Proposal of Tobmar Investments International Inc. - Estate No.: 31-2822741

Please be advised that Tobmar Investments International Inc. (“**Tobmar**”) filed a Notice of Intention to Make a Proposal (“**NOI**”) on April 19, 2022 pursuant to Section 50 of the *Bankruptcy and Insolvency Act* (the “**BIA**”) and that Albert Gelman Inc. has consented to act as Trustee under the NOI (“**Trustee**”). A copy of the NOI and a listing of Tobmar’s creditors is attached.

Tobmar is not bankrupt. Instead, it has availed itself of a legal process whereby it can restructure its financial affairs with creditor and court approval, and continue in business. Our role as Trustee is to assist with the development of a proposal to creditors and to communicate with creditors as needed regarding this process. The Trustee will also assist the creditors in making their decision with respect to voting on the proposal.

All liabilities of Tobmar are stayed/frozen as of April 19, 2022 by virtue of the BIA.

Tobmar has thirty days from the date of filing the NOI to file a proposal with the Trustee, subject to any application Tobmar may make to court for an extension of that time. Once the proposal is filed, the Trustee will call a meeting of creditors to be held within twenty-one days thereafter.

Creditors are not required to file a proof of claim at the present time. The Trustee will provide creditors with additional information as well as a proof of claim form in due course.

During these restructuring proceedings, and pursuant to Section 69.1 of the BIA:

- i. no person may terminate or amend any agreement with Tobmar, or claim an accelerated payment, or a forfeiture of the term, under any agreement with Tobmar, by reason only that Tobmar is insolvent or by reason of the filing of the NOI.
- ii. no creditor has any remedy against Tobmar or its property or shall commence or continue any action, execution, or other proceedings against Tobmar.

Please contact Sudhanshu Marwaha at 416-504-1650 ext. 124 or by email at smarwaha@albertgelman.com if you would like any additional information concerning this matter.

Yours very truly,

**ALBERT GELMAN INC., solely in its capacity as Trustee in the
Notice of Intention to make a Proposal filed by Tobmar Investments International Inc.
And not in its personal or any other capacity**

Per:



Joe Albert, CPA, Licensed Insolvency Trustee

Encl.



Industry Canada
Office of the Superintendent
of Bankruptcy Canada

Industrie Canada
Bureau du surintendant
des faillites Canada

District of Ontario
Division No. 09 - Toronto
Court No. 31-2822741
Estate No. 31-2822741

In the Matter of the Notice of Intention to make a proposal of:

Tobmar Investments International Inc.

Insolvent Person

ALBERT GELMAN INC.

Licensed Insolvency Trustee

Date of the Notice of Intention:

April 19, 2022

CERTIFICATE OF FILING OF A NOTICE OF INTENTION TO MAKE A PROPOSAL
Subsection 50.4 (1)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that the aforementioned insolvent person filed a Notice of Intention to Make a Proposal under subsection 50.4 (1) of the Bankruptcy and Insolvency Act;

Pursuant to subsection 69. (1) of the Act, all proceedings against the aforementioned insolvent person are stayed as of the date of filing of the Notice of Intention.

Date: April 19, 2022, 14:57

E-File/Dépôt Electronique

Official Receiver

151 Yonge Street, 4th Floor, Toronto, Ontario, Canada, M5C2W7, (877)376-9902

Canada

- Proposal Consent -

In the Matter of the Proposal of
Tobmar Investments International Inc.
of the City of Toronto, in the Province of Ontario

To whom it may concern,

This is to advise that we hereby consent to act as trustee under the Bankruptcy and Insolvency Act for the proposal of Tobmar Investments International Inc..

Dated at the City of Toronto in the Province of Ontario, this 19th day of April 2022.

Albert Gelman Inc. - Licensed Insolvency Trustee



100 Simcoe Street, Suite 125

Toronto ON M5H 3G2

Phone: (416) 504-1650 Fax: (416) 504-1655

District of:
Division No. -
Court No.
Estate No.

- FORM 33 -
Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
Tobmar Investments International Inc.
of the City of Toronto, in the Province of Ontario

Take notice that:

1. I, Tobmar Investments International Inc., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Albert Gelman Inc. of 100 Simcoe Street, Suite 125, Toronto, ON, M5H 3G2, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Toronto in the Province of Ontario, this 19th day of April 2022.



Tobmar Investments International Inc.
Insolvent Person

To be completed by Official Receiver:

Filing Date

Official Receiver

District of:
Division No. -
Court No.
Estate No.

- FORM 33 -
Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

In the Matter of the Proposal of
Tobmar Investments International Inc.
of the City of Toronto, in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Metrolix Katrina Ricchetti	20 Bay St Suite 600 Toronto ON M5J 2W3	GO	130,777.74
TD Commercial Banking Daryl Coelho	TD Bank Tower, 66 Wellington Street West, 12th Floor Toronto ON M5K 1A2		3,677,136.35
The Peninsula Fund VI Limited Partnership Ty T. Clutterbuck	500 Woodward Avenue, Suite 2800 Detroit MI 48226		18,351,017.00
Toronto Transit Commission Attn: Head Commission Services	1900 Yonge Street Toronto ON M4S 1Z2	TTC & Lotto Kiosk	4,798,824.13
Total			26,957,755.22



Tobmar Investments International Inc.
Insolvent Person