

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

THE HONOURABLE) MONDAY, THE 12TH
)
JUSTICE KIMMEL) DAY OF JUNE, 2023

**IN THE MATTER OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, RSC 1985, c B-3, AS AMENDED**

**AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A
PROPOSAL OF PROSYSCO LIMITED OF THE CITY OF TORONTO IN THE
PROVINCE OF ONTARIO**

**AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A
PROPOSAL OF 1110615 ONTARIO LTD.**

**ORDER
(Re: Extension of Time to File a Proposal)**

THIS MOTION made by Prosysco Ltd. and 1110615 Ontario Ltd. (the “**Companies**”) for an order, *inter alia*, extending the time to file a proposal pursuant to section 50.4(9) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended (the “**BIA**”) was heard this day at 330 University Avenue, Toronto, Ontario by video conference.

ON READING the Affidavit of Terrence Scott sworn June 6, 2023, and the Second Report of Albert Gelman Inc. in its capacity as proposal trustee (the “**Proposal Trustee**”) dated June 8, 2023 (the “**Second Report**”), including the fee affidavits of Bryan Gelman sworn June 7, 2023 and of Mario Forte sworn June 2, 2023 (collectively the “**Fee Affidavits**”), and on hearing the

submissions of counsel for the Companies, the Proposal Trustee, and such other counsel as were present as identified on the counsel slip, no one appearing for any other person on the service list, although duly served as appears from the affidavit of service of Levi Rivers sworn June 6, 2023, filed:

SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the notice of motion and the motion record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

EXTENSION OF TIME TO FILE A PROPOSAL

2. **THIS COURT ORDERS** that the time for the Companies to file a proposal under Section 50.4 of the BIA is hereby extended to July 31, 2023, which is the first business day after an extension period of 45 days.

APPROVAL OF SECOND REPORT AND FEES

3. **THIS COURT ORDERS** that the Second Report of the Proposal Trustee, and the actions, conduct and activities of the Proposal Trustee as set out therein, be and are hereby approved, provided, however, that only the Proposal Trustee, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

4. **THIS COURT APPROVES** the professional fees and disbursements of the Proposal Trustee in the amount of \$105,477.50 (plus HST) and its counsel in the amount of \$7,328.80 as detailed and set forth in the Fee Affidavits be and hereby are approved.

GENERAL

5. **THIS COURT ORDERS** that notwithstanding Rule 59.05, this order is effective from 12:01 a.m. on the date that it is made and is enforceable without any need for entry and filing.

**IN THE MATTER OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, RSC 1985, c B-3, AS AMENDED**

Court File No. BK-23-02929201-0032
Estate File No. 32-2929201

**AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL
OF PROSYSCO LTD. OF THE CITY OF TORONTO IN THE PROVINCE OF
ONTARIO**

**AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL
OF 1110615 ONTARIO LTD.**

ONTARIO
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(COMMERCIAL LIST)**

Proceedings commenced at Toronto

ORDER

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