

**SUPERIOR COURT
(Commercial Division)**

(Sitting as Tribunal designated under the *Companies' Creditors Arrangement Act*,
R.S.C. 1985, c. C-36)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No.: 500-11-047820-143

PRESIDING: THE HONOURABLE LOUIS-JOSEPH GOUIN, J.S.C.

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C.
1985, C. C-36, AS AMENDED:**

**BÉTON BRUNET LTÉE,
7507852 CANADA INC. (doing business under the name Next Polymers), et al.**
Debtors-Petitioners

-and-

7507895 CANADA INC.;
GROUPE BÉTON BRUNET 2001 INC. et al.
Mis en cause Guarantors

-and-

7507879 CANADA INC.;
Mis en cause Guarantor HSBC

-and-

Maynards Capital Inc.;
Exit Lender

-and-

HSBC BANK CANADA et al.;
Other Mis en cause

-and-

THE LAND REGISTRAR, LAND TITLES DIVISION OF GRENVILLE (NO. 15);
Land Registrar Mis en cause

**ORDER FOR DISCHARGE OF REGISTRATION AGAINST 333 CHURCHILL ROAD
PROPERTY**

(Section 11 of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36)

CONSIDERING the *Requête pour approbation de la radiation de l'inscription d'une charge LACC (333 Churchill Road)* (the "**Motion 333**") and the *Requête pour diverses ordonnances en lien avec des Charges LACC (340 Churchill Road)*, both dated November 2, 2018, presented by Béton Brunet Ltée, 7507852 Canada Inc. (doing business as Next Polymers), Gestions R.C.F.L. Inc. (doing business as Produits de béton Soulanges), Les Produits de Béton Casaubon Inc., Distribution Brunet Inc., Béton Brunet 2001 Inc., 956517 Canada Inc. (doing business as Industries B&X), 6353851 Canada Inc., 9197-8379 Québec Inc. and 7507917 Canada Inc. (collectively, the "**Debtors**" or the "**Petitioners**") under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 (as amended, the "**CCAA**"), the Exhibits filed in support thereof, the affidavit of Robert Cassius de Linval in support thereof, and the submissions of counsel present during the hearing;

CONSIDERING the consent of Raymond Chabot Inc. (the "**Monitor**") to the Motion;

CONSIDERING the provisions of the CCAA;

WHEREFORE, THE COURT:

- [1] **GRANTS** the Motion;
- [2] **ISSUES** the present Order for Discharge of Registration Against 333 Churchill Road Property (the "**Order 333**");
- [3] **DECLARES** that all capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion, or, otherwise, in Sanction and Exit Lender Charge Order rendered by this Court on February 27, 2015 in the present matter (the "**Sanction Order**");
- [4] **DECLARES** that the time for service of the Motion is abridged to the time actually given and that service of the Motion and supporting material is good, valid and sufficient, and any further service thereof is hereby dispensed with;
- [5] **PRAYS ACT** of the fact that, upon repayment of the Exit Facilities, the Exit Lender Charge against all Mis-en-Cause Guarantors' Property as security for all amounts owing by the Debtors and the Mis-en-Cause Guarantors to the Exit Lender (the "**Exit Lender**") under the Exit Facility Agreement and the Exit Financing Documents (as same were amended from time to time), will be discharged, released and deleted by consent of the Exit Lender;
- [6] **ORDERS** that upon registration in the Land Registry Office for the Registry Division of Grenville (No. 15) of this Order in the form prescribed by the *Land Registration Reform Act* (Ontario), the Land Registrar is hereby directed to record this Order in respect of the

following Property of the Mis-en-cause Guarantors (being the property of the Mis-en-cause Guarantor 7507895 Canada Inc.):

Land and building erected thereon bearing civic number 333 Churchill Road West, in Prescott, Ontario, known as PIN 68158-0051(LT) and more fully described as PT LT 1 W/S WALKER ST, 2 W/S WALKER ST BLK 15 PL 19 PRESCOTT; PT PARK LT 2 BLK 14 PL 19 PRESCOTT; PT WALKER ST PL 19 PRESCOTT CLOSED BY PR22701; LT 1 E/S WALKER ST BLK 15 PL 19 PRESCOTT; PT LT 2 E/S WALKER ST BLK 15 PL 19 PRESCOTT; PT LT M PL 19 PRESCOTT; PT LT 13 BLK 14 PL 19 PRESCOTT; LT 14 BLK 14 PL 19 PRESCOTT; PT LT 15-18 BLK 14 PL 19 PRESCOTT PT 1, 2, AND 8, 15R7564 S/T PR131958, T/W PR131958; PRESCOTT;

and to delete from title to such lands the Sanction Order (which was registered pursuant to an Application to Register Court Order on March 17, 2015 as Instrument No. GC34947).

- [7] **ORDERS** that all persons shall cooperate fully with the Debtors and the Monitor and do all such things that are necessary or desirable for the purposes of giving effect to and in furtherance of the present Order;
- [8] **ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada;
- [9] **ORDERS** the aid and recognition of any court of any judicial, regulatory or administrative body in any province or territory of Canada (including the assistance of any court in Canada pursuant to section 17 of the CCAA), and the Federal Court of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada, the legislature of any province or otherwise and any court or any judicial, regulatory or administrative body of the United States of America and the states or other subdivisions of the United States of American or any other nation or state to act in aid of and to be complementary to this court in carrying out the terms of this Order where required; and
- [10] **ORDERS** the provisional execution of the present Order, notwithstanding any appeal and without the necessity of furnishing any security;
- [11] **THE WHOLE WITHOUT COST.**


 LOUIS JOSEPH GOUIN, J.S.C.

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DOCUMENT DÉTENU PAR LA COUR



PERSONNE DÉSIGNÉE PAR LE GREFFIER
EN VERTU DE 44 C.P.C

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