

**SUPERIOR COURT
(Commercial Division)**

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
No.: 500-11-062372-236
Date: February 28, 2024**

PRESIDING: THE HONOURABLE MICHEL A. PINSONNAULT, J.S.C.

In the matter of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended of:

9500-1798 QUÉBEC INC.

9500-1830 QUÉBEC INC.

Debtors

THE BANK OF NOVA SCOTIA

Applicant

RAYMOND CHABOT INC.

Monitor/Petitioner

ORDER

- [1] **ON READING** the Monitor's *Amended Application for the Issuance of an Order (i) Terminating the CCAA Proceedings (ii) Discharging the Monitor and (iii) Regarding the Administration of the Bankruptcies* dated February 23, 2024 (the "**Application**"), the sworn statement and the exhibits in support thereof, as well as the report (the "**Fifth Report**") of Raymond Chabot Inc. (the "**Monitor**"), acting as Monitor pursuant to the Initial Order dated May 17, 2023, as amended from time to time, including on September 22, 2023, pursuant to the Reverse Vesting Order (the "**Initial Order**");
- [2] **CONSIDERING** the Approval and Vesting Order rendered on September 22, 2023 (the "**Reverse Vesting Order**") pursuant to which, *inter alia*, effective as of the issuance of the Closing Certificate (as defined in the Reverse Vesting Order) issued on September 30, 2023, 9500-1798 Québec Inc. ("**ResidualCo 1**") and 9500-1830 Québec Inc. ("**ResidualCo 2**" and collectively with ResidualCo 1, the "**New Debtors**") were added as debtors in these proceedings under the CCAA (the

“**CCAA Proceedings**”) and Capcium Inc. and Gelcan Corporation Inc. (collectively, the “**Initial Debtors**”) were deemed to cease to be debtors in these CCAA Proceedings;

- [3] **CONSIDERING** the notification of the Application to the service list;
- [4] **CONSIDERING** the submissions of counsel present at the hearing on the Application and the testimony of the Monitor’s representative;
- [5] **GIVEN** the provisions of the *Companies’ Creditors Arrangement Act*, RSC 1985, C-36, as amended (the “**CCAA**”);
- [6] **GIVEN** that it is appropriate to issue an order approving, *inter alia*, the consolidation of the bankruptcy files of the New Debtors in one single bankruptcy file.

WHEREFORE, THE COURT:

- [7] **GRANTS** the Application, partially.
- [8] **DECLARES** that, unless otherwise indicated or defined herein, capitalized terms used in this Order (the “**Order**”) shall have the meanings ascribed to them in the Initial Order.

Notification

- [9] **ORDERS** that any prior delay for the presentation of this Application is hereby abridged and validated so that this Application is properly returnable today and hereby dispenses with further service thereof.
- [10] **PERMITS** notification of this Order at any time and place and by any means whatsoever, including by email.

Administration of the Bankruptcies of ResidualCo 1 and ResidualCo 2

- [11] **ORDERS** the consolidation of the bankruptcy files of ResidualCo 1 and ResidualCo 2 under the name 9500-1798 Québec Inc. and considered as one single bankruptcy file (the “**Consolidated Bankruptcy File**”) so that, *inter alia*:
 - a) one single statement of affairs and one list of creditors be prepared;
 - b) only one first creditors’ meeting be held and, if applicable, one meeting of inspectors (if any) and other creditors’ meetings be held jointly; and
 - c) all notices, letters and communications to be sent from time to time in the context of the bankruptcy of ResidualCo 1 and ResidualCo 2 be consolidated into one single notice, letter or communication.

[12] **AUTHORIZES** the filing of a joint trustee's report for the Consolidated Bankruptcy File and, for greater certainty, **DISPENSES** Raymond Chabot Inc., in its capacity as trustee to the bankruptcy of ResidualCo 1 and ResidualCo 2, from the obligation to file a trustee's report in each of the bankruptcies of ResidualCo 1 and ResidualCo 2.

[13] **THE WHOLE WITHOUT COSTS.**

MICHEL A. PINSONNAULT, J.S.C.
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Hearing date: February 27, 2024