

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE MR.)	WEDESNDAY, THE 12 th
)	
JUSTICE DUNPHY)	DAY OF MAY, 2021

**IN THE MATTER OF THE NOTICES OF INTENTION
TO MAKE A PROPOSAL OF 33 LAIRD INC. AND
33 LAIRD GP INC., CORPORATIONS INCORPORATED
UNDER THE ONTARIO *BUSINESS CORPORATIONS
ACT*, AND 33 LAIRD LIMITED PARTNERSHIP, A
LIMITED PARTNERSHIP FORMED UNDER THE
ONTARIO *LIMITED PARTNERSHIPS ACT***

ORDER
(extension of time to file a proposal, administration charge, and sealing)

THIS MOTION by 33 Laird Inc., 33 Laird GP Inc., and 33 Laird Limited Partnership (together, the “**Laird Entities**”) for the herein orders was heard this day by videoconference due to COVID-19.

ON READING the affidavit of Jason L. S. Birnboim sworn May 7, 2021 (the “**Birnboim May Affidavit**”) and the fourth report (the “**Fourth Report**”) of MNP Ltd. in its capacity as proposal trustee to the Laird Entities (in such capacity, the “**Proposal Trustee**”), and upon hearing the submissions of counsel for the Laird Entities and the Proposal Trustee as well as those other parties present, as indicated in the counsel slip, no other parties being present although duly served as appears from the affidavit of service of Joël Turgeon sworn May 11, 2021, filed:

NOTICE AND SERVICE

1. **THIS COURT ORDERS** that the time for service of the motion record in respect of this motion and the Fourth Report is hereby abridged and validated so that the motion is properly returnable today, and that further service thereof is hereby dispensed with.

EXTENSION OF TIME TO FILE A PROPOSAL

2. **THIS COURT ORDERS** that, pursuant to Section 50.4(9) of the *Bankruptcy and Insolvency Act* (Canada), the period for the Proposal Trustee to file, on behalf of the Laird Entities or any of them, a proposal to creditors under the *Act*, be and is hereby extended to and including May 28, 2021.

ADMINISTRATION CHARGE

3. **THIS COURT ORDERS** that (i) counsel for the Laird Entities, (ii) the Proposal Trustee, and (iii) counsel to the Proposal Trustee be and hereby are granted a charge (the “**Administration Charge**”) on the Laird Entities’ interest in all of their current and future assets, undertakings and properties of every nature and kind whatsoever, and wherever situate including all proceeds thereof (the “**Property**”) in connection with any unpaid fees and disbursements up to a maximum amount of \$150,000.

4. **THIS COURT ORDERS** that the Administration Charge shall rank immediately before the DIP Lender’s Charge, as defined in the order of Madam Justice Conway made in this proceeding on December 16, 2020, which for avoidance of doubt means subject to any Encumbrances in favour of DUCA Financial Services Credit Union Ltd. (“**DUCA**”) as well as any Encumbrances in favour of any Person (terms defined in said December 16

order) that primes DUCA's security interest, as the case may be, in accordance with such order.


SEALING

5. **THIS COURT ORDERS** that Confidential Exhibits "1" and "2" to the Birnboim May Affidavit be and are hereby sealed until the earlier of 60 days from the date hereof and the conclusion of a transaction with respect of the Laird Entities' assets, as the case may be, as evidenced by the filing of a certificate by the Proposal Trustee, or further court order.

MISCELLANEOUS

6. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this order and to assist the Laird Entities, the Proposal Trustee and their respective agents in carrying out the terms of this order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Laird Entities and to the Proposal Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this order, to grant representative status to the Proposal Trustee in any foreign proceeding, or to assist the Laird Entities and the Trustee and their respective agents in carrying out the terms of this order.

7. **THIS COURT ORDERS** that this order is effective from its date.


S.F. Dunphy J.

IN THE MATTER OF THE NOTICES OF INTENTION TO MAKE A PROPOSAL OF 33 LAIRD INC. AND 33 LAIRD GP INC., CORPORATIONS INCORPORATED UNDER THE ONTARIO *BUSINESS CORPORATIONS ACT*, AND 33 LAIRD LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP FORMED UNDER THE ONTARIO *LIMITED PARTNERSHIPS ACT*

Estate File No. 31-2693094

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
Proceeding commenced in TORONTO**

**ORDER
(extension of time to file a proposal, administration charge, and sealing)**

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