

Form 6-5
(Subrule 6-5(1))

COURT FILE NUMBER BKY-RG-00269-2024

**COURT OF KING'S BENCH FOR SASKATCHEWAN
IN BANKRUPTCY AND INSOLVENCY**

DIVISION NUMBER 02 – SASKATOON

ESTATE NUMBER 23-3119275

***IN THE MATTER OF THE PROPOSAL OF RIVERIENE FARM LTD. UNDER DIVISION I
OF THE BANKRUPTCY AND INSOLVENCY ACT, RSC 1985, C. B-3.***

NOTICE OF APPLICATION

NOTICE TO RESPONDENT

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where	Court House, 520 Spadina Crescent East Saskatoon, Saskatchewan
Date	Friday, November 1, 2024
Time	1:30 p.m.

(Read the Notice at the end of this document to see what else you can do and when you must do it.)

Remedy claimed or sought:

1. MNP Ltd. (the "**Proposal Trustee**") seeks an Order
 - (a) approving the amended proposal of Riveriene Farm Ltd. (the "**Company**") to its creditors dated October 10, 2024 (the "**Amended Proposal**") under Division I of Part III of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (the "**BIA**") pursuant to section 60(5) of the BIA; and
 - (b) approving the Proposal Trustee's actions, conduct, and activities from August 22, 2024 to October 18, 2024.

2. Such further and other relief as counsel may request and this Honourable Court may allow.

Grounds for making this application:

3. On August 22, 2024, the Company filed a Notice of Intention to Make a Proposal to its Creditors pursuant to section 50.4(1) of the BIA (the "**NOI**") identifying MNP Ltd. as the Proposal Trustee.

4. On September 20, 2024, the Company filed a proposal (the "**Initial Proposal**") to its creditors with the Proposal Trustee. The Proposal Trustee filed a copy of the Initial Proposal with the Official Receiver pursuant to section 62(1) of the BIA.
5. On September 26, 2024, the Proposal Trustee sent a notice to the Superintendent of Bankruptcy and to every known creditor of the Company affected by the Initial Proposal, providing notice that the meeting of the Company's creditors to consider the Initial Proposal would be held on October 10, 2024 in accordance with section 51 of the BIA.
6. On October 10, 2024, the meeting of the Company's creditors to consider the Initial Proposal was held. An Amended Proposal was filed by the Company with the Proposal Trustee shortly before the meeting and was presented to the Creditors of the Company for their consideration at the meeting.
7. At the October 10, 2024 meeting of creditors: (a) a motion was passed by ordinary resolution affirming the appointment of MNP Ltd. as the Proposal Trustee; and (b) the Amended Proposal was approved by a special resolution vote of 70% of the Company's creditors present at the meeting (in person or by proxy) and by a vote of 67% of the value of the claims against the Company by creditors present at the meeting (in person or by proxy).
8. On October 16, 2024, the Amended Proposal was filed by the Proposal Trustee with the Official Receiver.
9. On October 17, 2024, the Amended Proposal and a Notice of the November 1, 2024 hearing of this application were sent to every known creditor of the Company by the Proposal Trustee pursuant to section 58(b) of the BIA.
10. The Court may approve a proposal where: (a) the terms of the proposal are reasonable; (b) the terms of the proposal are calculated to benefit the general body of creditors; (c) the proposal is made in good faith; and (d) the formalities of the BIA have been complied with and the required terms under the BIA are included in the proposal.
11. As more particularly described in the Form 40 - Report of the Trustee on Amended Proposal dated October 18, 2024:
 - (a) the terms of the Amended Proposal are reasonable and are calculated to benefit the general body of the Company's creditors;
 - (b) no facts mentioned in section 173 of the BIA have been proven against the Company;

- (c) the Amended Proposal provides for the priority of claims as required by section 60(1) of the BIA;
 - (d) the Amended Proposal provides for payment in full of all amounts owing by the Company to His Majesty in Right of Canada or a Province in accordance with section 60(1.1) of the BIA;
 - (e) the Company is not in default of any remittance of an amount referred to in section 60(1.1) of the BIA that became due after the filing of the NOI;
 - (f) the Amended Proposal provides for payment of all amounts owing to the employees of the Company that arise through an employer-employee relationship between the employees and the Company, and the Company can make such payments; and
 - (g) the Amended Proposal provides for all pension payments pursuant to section 60(1.3) of the BIA, and the Company can make such payments.
12. The Proposal Trustee seeks approval of its actions, conduct, and activities from the date of its proposed appointment as the Company's Proposal Trustee on August 22, 2024 to October 18, 2024. The Proposal Trustee has at all times carried out its mandate under the Proposal (and the Amended Proposal) with efficiency, integrity and with due regard for the interests of all parties.

Material or evidence to be relied on:


- 13. Form 40 - Report of the Trustee on Amended Proposal dated October 18, 2024;
- 14. Draft Order;
- 15. Brief of Law (to be filed); and
- 16. Such further and other materials as counsel may advise and this Honourable Court may allow.

Applicable Acts and regulations:

- 17. *Bankruptcy and Insolvency Act*, RSC 1985, c B-3.

DATED at Saskatoon, Saskatchewan, this 22nd day of October, 2024.

MLT Aikins LLP

Per: 
For Jeffrey M. Lee, K.C., Counsel for the Proposal Trustee, MNP Ltd.

NOTICE

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

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