

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**  
**IN BANKRUPTCY & INSOLVENCY**

THE HONOURABLE ) FRIDAY, THE 20th  
JUSTICE OSBORNE ) DAY OF SEPTEMBER, 2024

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF**  
**125 FERRIS INC.**  
**IN THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO**

**ORDER**

**THIS MOTION**, made by 125 Ferris Inc. (“**Ferris**” or the “**Company**”) was heard this day at 330 University Avenue, Toronto, Ontario via videoconference.

**ON READING** the Second Affidavit of Michael Di Iorio sworn September 13, 2024 (the “**Second Di Iorio Affidavit**”) and the Second Report of KSV Restructuring Inc., in its capacity as proposal trustee for the Company (the “**Proposal Trustee**”), and on hearing the submissions of counsel for the Company, the Proposal Trustee and such other counsel listed on the counsel slip, no one else appearing although properly served as appears from the affidavits of service filed:

**SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged so that this motion is properly returnable today and hereby dispenses with further service thereof.

## **DEFINED TERMS**

2. **THIS COURT ORDERS** that capitalized terms not otherwise defined herein shall have the meaning ascribed to such term in the Second Di Iorio Affidavit.

## **EXTENSION OF TIME TO FILE A PROPOSAL**

3. **THIS COURT ORDERS** that the time within which the Company is required to file a proposal to its creditors with the Official Receiver, under section 50.4(9) of the *Bankruptcy and Insolvency Act*, RSC 1985, c. B-3 (the “**BIA**”), shall be and is hereby extended to November 5, 2024.

## **EXTENSION OF STAY**

4. **THIS COURT ORDERS** that the stay of proceedings shall be and is hereby extended to 11:59 p.m. on November 5, 2024.

## **SERVICE AND NOTICE**

5. **THIS COURT ORDERS** that the E-Service Protocol of the Commercial List (Toronto) (the “**Protocol**”) is approved and adopted by reference herein and, in this proceeding, the service of documents made in accordance with the Protocol (which can be found on the Commercial List website at <http://www.ontariocourts.ca/scj/practice/practice-directions/toronto/e-service-protocol/>) shall be valid and effective service. Subject to Rule 17.05 this Order shall constitute an order for substituted service pursuant to Rule 16.04 of the Rules of Civil Procedure. Subject to Rule 3.01(d) of the Rules of Civil Procedure and paragraph 21 of the Protocol, service of documents in accordance with the Protocol will be effective on transmission. This Court further orders that a Case Website shall be established in accordance with the Protocol with the following URL: <https://www.ksvadvisory.com/experience/case/125-ferris>

6. **THIS COURT ORDERS** that the Company and the Proposal Trustee and each of their counsel are at liberty to serve or distribute this Order, any other materials and orders as may be reasonably required in these proceedings, including any notices, or other correspondence, by forwarding true copies thereof by electronic message to the Company’s creditors or other interested parties and their advisors. For greater certainty, such distribution or service shall be

deemed to be in satisfaction of a legal or judicial obligation, and notice requirements within the meaning of clause 3(c) of the *Electronic Commerce Protection Regulations*, Reg. 81000-2-175 (SOR/DORS).

**GENERAL**

7. **THIS COURT ORDERS** that the Company or the Proposal Trustee may from time to time apply to this Court to amend, vary or supplement this Order or for advice and directions in the discharge of its powers and duties under this Order or in the interpretation or application of this Order.

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PROCEEDING COMMENCED AT TORONTO

**ORDER**

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