



2024

Hfx. No. 538745

**SUPREME COURT OF NOVA SCOTIA**

**IN THE MATTER OF** the *Companies Creditors Arrangement Act* R.S.C., 1985, c. C- 36, as amended (the "CCAA")

**AND IN THE MATTER OF** an application by Blue Lobster Capital Limited, 3284906 Nova Scotia Limited, 3343533 Nova Scotia Limited and 4318682 Nova Scotia Limited (collectively, the "**Applicants**") for relief under s. 11 of the CCAA and other relief

**NOTICE OF MOTION**

**TO: The Service List as set out in Schedule "A" hereto**

**Motion**

The Applicants in this proceeding are applying to a judge for an order pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "CCAA"), which, *inter alia*:

- (a) abridges the time for service of the motion and the materials filed in support thereof, and dispenses with further service thereof;
- (b) approves a sales and investment solicitation process (the "**SISP**") substantially in the form and substance described in the Third Report of the Monitor;
- (c) authorizes and directs the Monitor to conduct the SISP in accordance with its terms; and
- (d) extends the stay of proceedings (the "**Stay Period**") granted under the Amended and Restated Initial Order (the "**ARIO**") until 30 June 2025.

**Time and place**

The motion is to be heard by a judge on **07 March 2025 at 9:30 a.m.** at The Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia (902-424-4900). The moving party has set the motion for a hearing from 9:30 – 11:30 a.m. The moving party says that the motion will not require more time.

**References**

The moving party relies on the following legislation, Rules or points of law:

- (a) The provisions of the CCAA generally, including s. 11 thereof; and
- (b) such further and other references as counsel may advise and this Honourable Court may permit.

**Evidence**

The evidence in support of the motion is as follows:

- (a) affidavit of Kevin Alexander Rice sworn on 27 February 2025;
- (b) Third Report of the Monitor, to be filed; and
- (c) such further and other evidence as counsel may advise and this Honourable Court may permit.

**Possible order against you**

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

Signed this 27<sup>th</sup> day of February, 2025.



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**Schedule "A"**

**Service List**

<b>Name</b>	<b>Contact</b>
<p><b>Blue Lobster Capital Limited</b> <b>3284906 Nova Scotia Limited</b> <b>3343533 Nova Scotia Limited</b> <b>4318682 Nova Scotia Limited</b></p> <p><b>Applicants</b></p>	<p><b>Darren O'Keefe, Lawyer for the Applicants</b> O'Keefe Sullivan 80 Elizabeth Avenue, Suite 202 St, John's, NL A1A 1W7 Email: dokeefe@okeefesullivan.com</p> <p><b>Marc Dunning, Lawyer for the Applicants</b> <b>(Local Counsel)</b> Burchell Wickwire Bryson LLP 1900-1801 Hollis Street Halifax, NS B3J 3N4 Email: mdunning@bwblp.ca</p>
<p><b>KSV Restructuring Inc.</b> 220 Bay Street, Suite 1300 Toronto, ON M5J 2W3</p> <p><b>Monitor</b></p>	<p><b>Bobby Kofman</b> Email: bkofman@ksvadvisory.com</p> <p><b>Mitch Vininsky</b> Email: mvininsky@ksvadvisory.com</p> <p><b>Sharon Kour, Lawyer for the Monitor</b> Reconstruct LLP 120 Adelaide Street West, Suite 2500 Toronto, ON M5H 1T1 Email: skour@reconllp.com</p>
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