



Court File No. 09-8240-CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
EDDIE BAUER OF CANADA, INC. AND EDDIE BAUER CUSTOMER SERVICES INC.**

Applicants

**MONITOR'S CERTIFICATE**

**RECITALS**

- A. Pursuant to an Initial Order of the Ontario Superior Court of Justice (Commercial List) (the "**Court**") dated June 17, 2009, RSM Richter Inc. was appointed as the monitor of the Applicants in the within proceedings (the "**CCAA Proceedings**").
- B. Pursuant to an Order of the Court dated July 10, 2015, the role of monitor in the CCAA Proceedings was transferred to KSV Kofman Inc. (the "**Monitor**").
- C. The CCAA Proceedings have been completed in accordance with the Orders of this Court and under the supervision of the Monitor.
- D. Pursuant to the Order of this Court dated July 17, 2018 (the "**CCAA Termination Order**"), the Monitor shall be discharged and these proceedings shall be terminated upon the filing of this Monitor's Certificate with the Court.
- E. Unless otherwise indicated herein, capitalized terms used in this Monitor's Certificate shall have the meanings given to them in the CCAA Termination Order.

**THE MONITOR CERTIFIES** the following:


- 1. The fees and disbursements of the Monitor, the Monitor's counsel, Lax O'Sullivan Lisus Gottlieb LLP, and the Applicants' legal counsel and tax advisors have been paid in full.

2. Any and all matters that may be incidental to the termination of the CCAA Proceedings, and any other matters necessary to complete the CCAA Proceedings as requested by the Applicants and agreed to by the Monitor, have been completed.

**ACCORDINGLY**, the CCAA Termination Date has occurred on the date set forth below.

**DATED** at Toronto, Ontario this 7th day of November, 2018.

**KSV KOFMAN INC., in its capacity as CCAA  
Monitor of Tenere of Canada, Inc. and Yuma  
Customer Services Inc., and not in its personal  
capacity**



Per: Name: David Sieradzki  
Title: Managing Director

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF EDDIE  
BAUER OF CANADA, INC. AND EDDIE BAUER CUSTOMER SERVICES INC.

	<p><b>ONTARIO</b></p> <p><b>SUPERIOR COURT OF JUSTICE</b></p> <p><b>COMMERCIAL LIST</b></p> <p>Proceeding commenced at Toronto</p>
	<p><b>MONITOR'S CERTIFICATE</b></p> <p><b>LAX O'SULLIVAN LISUS GOTTLIEB LLP</b></p> <p>Counsel</p> <p>Suite 2750, 145 King Street West</p> <p>Toronto ON M5H 1J8</p> <p><b>Matthew P. Gottlieb</b> LSO#: 32268B mgottlieb@counsel-toronto.com Tel: 416 644 5353</p> <p><b>Andrew Winton</b> LSO#: 544731 awinton@counsel-toronto.com Tel: 416 644 5342 Fax: 416 598 3730</p> <p>Lawyers for the Monitor, KSV Kofman Inc.</p>