


TAMARA GOUDEY
Deputy Prothonotary

2024

Hfx. No. 531463

SUPREME COURT OF NOVA SCOTIA

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

AND IN THE MATTER OF A PLAN OR ARRANGEMENT OF 3306133 NOVA SCOTIA LIMITED, 1003940 NOVA SCOTIA LIMITED, HEADLINE PROMOTIONAL PRODUCTS LIMITED, BRACE CAPITAL LIMITED, BRACE HOLDINGS LIMITED AND 4648767 NOVA SCOTIA LIMITED

BETWEEN:

Fiera Private Debt Fund III LP and Fiera Private Debt Fund V LP,
each by their general partner, Fiera Private Debt GP Inc.

Applicants

and

3306133 Nova Scotia Limited, 1003940 Nova Scotia Limited,
Headline Promotional Products Limited, Brace Capital Limited,
Brace Holdings Limited and 4648767 Nova Scotia Limited

Respondents



ORDER

BEFORE THE HONOURABLE JUSTICE KEITH IN CHAMBERS

WHEREAS Eckler Admin Corp. Ltd. (“**Eckler**”) moved for an order lifting the stay of proceedings pursuant to the Second Amended & Restated Initial Order of the Honourable Justice Keith dated March 26, 2024 (the “**SARIO**”) to permit Eckler to commence an insured claim against Mark Lever, Sarah A. Dennis, and Ian Scott (collectively, the “**D&Os**”).

AND UPON reviewing the material filed in support of the motion and the material filed responding to the motion, and upon hearing the submissions of counsel for Eckler, counsel for KSV Restructuring Inc., in its capacity as CCAA Monitor (the “**Monitor**”), and such other counsel who were present and wished to be heard;

IT IS HEREBY ORDERED THAT:

1. Eckler's motion is adjourned *sine die*.
2. In the interim, leave is hereby granted pursuant to Paragraph 16 of the SARIO to permit Eckler to commence an action against the D&Os pursuant to the draft statement of claim attached as Exhibit "A" to the Affidavit of Kimberley A. Ozubko sworn November 4, 2024 (the "**Action**") to seek recourse under any available insurance policies (the "**Policies**").
3. No further steps shall be taken in the Action without leave of the Court.

Issued 27 day of November, 2024



PROTHONOTARY

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