

Form 23.03
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, TITAN SECURITY & INVESTIGATION INC., BRACE CAPITAL LIMITED AND BRACE HOLDINGS 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, Titan Security & Investigation Inc.,
Brace Capital Limited, Brace Holdings Limited

Respondents

Notice of Motion

TO: The persons listed in Schedule "A"

Motion

Eckler Admin Corp. Ltd. ("**Eckler**"), the proposed plaintiff and moving party in this proceeding, moves 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**").

Time and place

The motion is to be heard by the Honourable Justice John Keith on November 27, 2024 at 2:00 p.m. in the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia. The moving party has set

the motion for a half day in chambers. 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) *Nova Scotia Civil Procedure Rules*, Rule 23;
- (b) *Companies' Creditors Arrangement Act.*, RSC 1985, c. C-36, subsections 11.02(2), 11.03(1);
- (c) *Pension Benefits Act*, SNS 2011, c. 41;
- (d) *Pension Benefits Regulations*, NS Reg 200/2015;
- (e) Such other and further authorities as this Honourable Court deems just.

Evidence

The evidence in support of the motion is as follows:

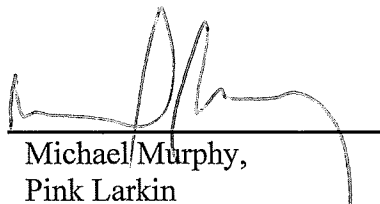
- (a) Affidavit of Kimberly A. Ozubko, Secretary, Board of Directors of Eckler Admin Corp. Ltd. to be sworn and filed before the deadlines established by Civil Procedure Rule 23.11;
- (b) Such further and other evidence and affidavit(s) as may be sworn and filed before the deadlines established by Civil Procedure Rule 23.11, or otherwise as 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.

Signature

Signed the 30th day of October, 2024



Michael/Murphy,
Pink Larkin

Mary Paterson, Osler
As Counsel for the Plaintiff

SCHEDULE "A" – SERVICE LIST

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