

# 32-2714829

Re PROPOSAL OF Q.B. WIJK  
CANADA ETO

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① Motion granted on the terms of  
the attached order.

Hanley J.

May 19, 2021

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(IN BANKRUPTCY AND INSOLVENCY)**

THE HONOURABLE MR. ) WEDNESDAY, THE 19TH  
 )  
JUSTICE HAINEY ) DAY OF MAY, 2021

**IN THE MATTER OF THE PROPOSAL OF O.B. WIİK CANADA LTD.,  
OF THE TOWN OF SIMCOE IN THE PROVINCE OF ONTARIO**

**ORDER  
(Approval of Proposal for O.B. Wiik Canada Ltd.)**

**THIS MOTION**, made by KSV Restructuring Inc., in its capacity as the trustee (the “**Proposal Trustee**”) in the Proposal of O.B. Wiik Canada Ltd. ( the “**Company**”), for an Order (*inter alia*):

- (a) if required, abridging the time for service of the Notice of Motion of the Proposal Trustee and other materials relied upon for this motion, and validating service thereof;
- (b) approving the Proposal in the form attached hereto as Schedule “A” (the “**Proposal**”) filed with the Official Receiver on March 24, 2021, which proposal was unanimously accepted by the creditors of the Company at a meeting duly held via video conferencing on April 14, 2021; and
- (c) such further and other relief as counsel may request and this Honourable Court may deem just;

was heard this day by videoconference due to the COVID-19 Pandemic.

**ON READING** the First Report of the Proposal Trustee to the Court dated May 3, 2021 (the “**First Report**”) and the Factum of the Proposal Trustee, and on hearing the submissions of counsel for the Proposal Trustee, and such other counsel as were present via video conference, no one appearing for any other party although duly served as appears from the affidavit of service of Devka Sakhrani sworn May 13, 2021, filed, and (i) having taken cognizance that the Proposal of has been unanimously accepted by the creditors voting at the meeting of creditors held via video conference on April 14, 2021, (ii) that the terms of the Proposal are reasonable and calculated to benefit the general body of creditors, (iii) and that no offences or facts have been proved to justify the Court withholding its approval of the Proposal;

#### **NOTICE AND SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Motion Record in respect of this motion and the First Report is hereby abridged and validated so that the motion is properly returnable today, and that further service thereof is hereby dispensed with.

#### **DEFINITIONS**

2. **THIS COURT ORDERS** that all capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Proposal.

#### **APPROVAL OF THE PROPOSAL**

3. **THIS COURT ORDERS** that the Proposal attached as Schedule “A” hereto be and is hereby approved.

4. **THIS COURT ORDERS** that, upon the Proposal Trustee issuing a certificate of full performance of the Proposal under section 65.3 of the BIA: (i) the Proposal and all associated steps, compromises, settlements, satisfactions, releases, discharges, transactions and arrangements effected thereby are approved, binding and effective in accordance with the provisions of the Proposal and the BIA; and (ii) the treatment of the Claims of Creditors under the Proposal shall be final and binding for all purposes and enure to the benefit of the Company, the Creditors, and all other Persons named or referred to in the Proposal, or subject to the Proposal, and their respective heirs, executors, administrators and other legal representatives, successors and assigns.

#### **IMPLEMENTATION OF THE PROPOSAL**

5. **THIS COURT ORDERS** that the Proposal Trustee be and is hereby authorized, directed and empowered to perform its functions and to fulfill its obligations under the Proposal to facilitate the implementation of the Proposal.

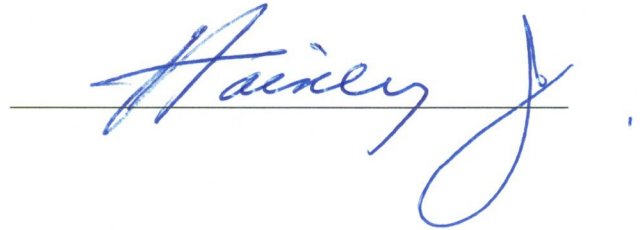
6. **THIS COURT ORDERS** that the Proposal Trustee be and is hereby authorized and directed to make the distributions and payments contemplated under the Proposal in accordance with its terms and the BIA and to take any such related steps or actions necessary or desirable to implement, and consummate all matters contemplated under the Proposal and all agreements, transactions, and documents contemplated by the Proposal, and such steps and actions are hereby approved.

#### **GENERAL**

7. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada against all persons, firms, corporations, governmental, municipal, and regulatory authorities against whom it may be enforceable.

8. **THIS COURT ORDERS** that the Proposal Trustee may from time to time apply to this Court for advice and directions in the discharge of its powers and duties hereunder.

9. **THIS COURT ORDERS AND REQUESTS** the aid and recognition of any court or any judicial, regulatory or administrative body in any province or territory of Canada and the Federal Court of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province to act in aid of and to be complementary to this Court in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance as may be necessary or desirable to give effect to the Order or to assist the Trustee and its agents in carrying out the terms of this Order.

A handwritten signature in blue ink is written over a horizontal line. The signature is cursive and appears to read "Hainey J".