



SUPERIOR COURT OF JUSTICE

ENDORSEMENT

COURT FILE NO.: CV-24-00716267-00CL

DATE: October 30th, 2024,

NO. ON LIST: 3

TITLE OF PROCEEDING: **SKYLINK EXPRESS INC.**

BEFORE: **JUSTICE STEELE**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Jennifer Stam	Lawyer for the Applicant	Jennifer.stam@nortonrosefulbright.com
Lauren Archibald	Lawyer for the Applicant	Lauren.archibald@nortonrosefulbright.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Monique Sassi	Lawyer for the Monitor	msassi@cassels.com
Jeffrey Larry	Lawyer for Momentum Decisive Solutions Canada Inc	Jeff.Larry@paliareroland.com
Rachel Moses	Lawyer for Toronto Dominion Bank	rmoses@foglers.com
Jordan Wong	Monitor, KSV Restructuring INC	Jwong@ksvadvisory.com

ENDORSEMENT OF JUSTICE STEELE:

[1] Motion by the applicant for an order to extend the stay period to January 31, 2025, approve the Monitor's sixth report and activities, and approve fees.

[2] No person opposed the relief sought.

Should the stay extension be granted?

[3] The applicant seeks an extension of the stay to January 31, 2025. The current stay expires on October 31, 2024.

[4] The Court may grant a stay extension where it is satisfied that (a) circumstances exist that make the order appropriate; and (b) the debtor is acting in good faith and with due diligence: CCAA, sections 11.02(2)-(3).

[5] I am satisfied that the stay extension should be granted. The stay extension is needed to give the Company time to, among other things, continue with the sales process for the remaining Fleet. The Company has acted and continues to act in good faith and with due diligence. The Monitor supports the proposed extension to the stay period.

Approval of Monitor's Sixth Report and Fees

[6] As noted in *Re Target Canada Co.*, 2015 ONSC 7574, at para. 22, there are good policy and practical reasons to grant the approval of a court-appointed officer's report.

[7] The Monitor's activities since the fifth report are detailed in section 6 of the Monitor's report. I am satisfied that the Monitor's activities were undertaken in accordance with its mandate and ought to be approved.

[8] The applicant also seeks approval of the fees of the Monitor and its counsel.

[9] The Court considers the non-exhaustive list of factors set out in *Bank of Nova Scotia v. Diemer*, 2014 ONCA 851 at para. 45, when determining whether the fees and disbursements are reasonable.

[10] Fee affidavits have been filed. I agree with the Monitor that the fees charged are reasonable and appropriate in the circumstances.



Steele J

Date: October 30th 2024

