

IN THE COURT OF KING'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF SAINT JOHN

**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 SOUTH SHORE SEAFOODS LTD.,
CAPTAIN COOKE'S SEAFOOD INC., BY THE WATER
SHELLFISH (2012) INC., CAN-AM LOBSTER &
SHELLFISH LTD., SOUTH SHORE SEAFOODS
INTERNATIONAL LTD., BRIDGE LOBSTERS LIMITED,
ARSENAULT'S FISH MART INC. (each a "Company"
and collectively the "Companies")**

BETWEEN:

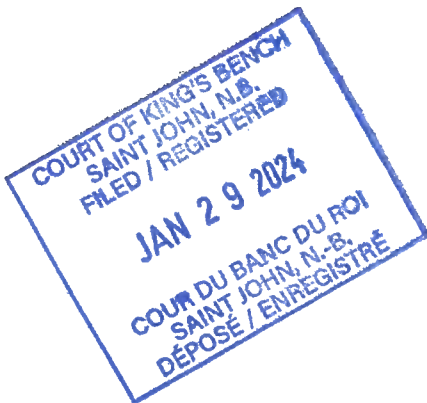
THE TORONTO-DOMINION BANK

APPLICANT

- and -

SOUTH SHORE SEAFOODS LTD., CAPTAIN COOKE'S
SEAFOOD INC., BY THE WATER SHELLFISH (2012)
INC., CAN-AM LOBSTER & SHELLFISH LTD., SOUTH
SHORE SEAFOODS INTERNATIONAL LTD., BRIDGE
LOBSTERS LIMITED, ARSENAULT'S FISH MART INC.

RESPONDENTS



**ORDER
(Stay Extension)**

THIS MOTION, made by Deloitte Restructuring Inc. ("**Deloitte**"), in its capacity as the court-appointed Monitor (the "**Monitor**") of South Shore Seafoods Ltd., Captain Cooke's Seafood Inc., By the Water Shellfish (2012) Inc., Can-Am Lobster & Shellfish Ltd., South Shore Seafoods International Ltd., Bridge Lobsters Limited and Arsenault's Fish Mart Inc. (collectively, the "**Debtors**"), for an order approving, among other things:

- (i) the extension of the Stay Period (as defined in the Amended and Restated Initial Order dated October 25, 2023 (the "**Amended and Restated Initial Order**")) from January 31, 2024 to April 30, 2024;

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- (ii) authorizing, but not directing, the Monitor to assign any or all of the Debtors into bankruptcy and authorizing Deloitte to act as trustee in bankruptcy of any such bankruptcies;
- (iii) approving the activities of the Monitor, as set out in the fifth report of the Monitor dated December 20, 2023 (the "**Fifth Report**"), the sixth report of the Monitor dated January 24, 2024 (the "**Sixth Report**") and the confidential supplement to the Sixth Report (the "**Confidential Supplement**"); and
- (iv) sealing the Confidential Supplement;

was heard on the 29th day of January, 2024.

UPON reading the Notice of Motion, the Fifth Report, the Sixth Report and the Confidential Supplement,

AND UPON hearing the submissions of counsel for the Applicant, the Monitor and those other parties present, and no one appearing on the Service List, although duly served as appears from the Affidavit of Service of Simon-Pierre Godbout dated January 25, 2024, and the Affidavit of Service of Janice Barrieau dated January 25, 2024.

AND UPON reading the material as filed by counsel,

IT IS HEREBY ORDERED AS FOLLOWS:

SERVICE

1. The service of the Notice of Motion, the Record on Motion and the Sixth Report, as set out in the Affidavit of Service, is deemed adequate so that this Motion is properly returnable today and further service thereof is hereby dispensed with.

STAY EXTENSION

2. The Stay Period, as defined in the Amended and Restated Initial Order, be and is hereby extended up to and including April 30, 2024.



BANKRUPTCY

3. The Monitor is authorized, but not directed, to make an assignment in bankruptcy pursuant to the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended, on behalf of any or all of the Debtors; ii) the Monitor is authorized to execute and file any assignment in bankruptcy and related documents; and iii) Deloitte is authorized to act as trustee in any such bankruptcies.

APPROVAL OF THE MONITOR'S ACTIONS

4. The actions of the Monitor, as specified in the Fifth Report, the Sixth Report and the Confidential Supplement, be and are hereby approved.

SEALING

5. The Confidential Supplement is hereby sealed and shall remain sealed until the earlier of filing of the monitor's certificate in respect of the sale transaction, as set out in the Sixth Report, or further order of this Court.

GENERAL

6. The aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States is hereby requested, to give effect to this Order and to assist the Applicant, the Monitor and their respective agents 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 to the Applicant and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.

Dated at Saint John, New Brunswick, this 29th day of January, 2024.



Justice of the Court of King's Bench
of New Brunswick