**2019 01G 2868**

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**

**GENERAL DIVISION**

**IN THE MATTER OF:** An Application by **Deloitte Restructuring Inc., Monitor of BRITISH CONFECTIONERY COMPANY LIMITED** and **BRITISH BAZAAR COMPANY LIMITED** (the “Monitor”) for relief under the *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as am.

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| SUMMARY OF CURRENT DOCUMENT | |
| Court File No. | 2019 01G 2868 |
| Date of filing of document |  |
| Name of filing party or person | R. Bruce Johnson, Counsel to the Monitor |
| Application to which document being filed relates: | *Companies’ Creditors Arrangement Act* Discharge Order |
| Statement of purpose in filing | Application for Discharge of Monitor |

# APPLICATION

**To:** The Service List (attached as Schedule “A”)

## Application

Deloitte Restructuring Inc., in its capacity as Monitor of **BRITISH CONFECTIONERY COMPANY LIMITED** and **BRITISH BAZAAR COMPANY LIMITED** (the “**Monitor**”) moves for Orders:

1. Validating service of this Application and the supporting the Third Report of the Monitor;
2. Approving the Reports, activities and conduct of the Monitor to date;
3. Approving the accounts of the Monitor and the Monitor’s counsel;
4. Discharging Deloitte Restructuring Inc. as the Monitor of British Confectionery Company Limited and British Bazaar Company Limited; and
5. Providing such further and other relief as counsel may seek and this Honourable Court deems just and equitable.

**Time and Place:**

The Application is to be heard by a Judge on Friday, August 2, 2019 at 10:00 a.m. at The Court House at Duckworth Street, St. John’s, Newfoundland and Labrador. The Monitor has set the Application for hearing in one half hour in Chambers. The Monitor says that the Application will not require more time.

**References:**

The Monitor relies on the following legislation, Rules or points of law: The *Companies Creditors Arrangement Act*, and in particular the duties of a Monitor thereunder, found at Section 23.

**Evidence:**

The evidence in support of the Motion is as follows: Affidavit of R. Bruce Johnson; the Third Report of the Monitor; the First through Third Reports of the Monitor, which was filed with this Court.

**Possible Orders Against You:**

You may file an Affidavit and a Brief, attend the hearing of the Application, and state your position on whether the proposed Orders should be made. If you do not attend, the Judge may grant the Orders without further notice to you.

**DATED** at Moncton, NB. this \_\_\_\_\_\_\_\_\_\_ day of July, 2019.

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Solicitor for the Monitor, Deloitte Restructuring Inc.

# To: The Counsel and others listed in Schedule “A” hereto.

# ISSUED at St. John’s, in the Province of Newfoundland and Labrador this \_\_\_\_\_ day of July, 2019.

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Registrar