

Form 23.03

2023

Hfx No. 521470

Supreme Court of Nova Scotia
In Bankruptcy and Insolvency

IN THE MATTER OF: THE RECEIVERSHIP OF MERIDIEN ATLANTIC FISHING LTD., ROCKY
COAST SEAFOODS LTD. AND 9514228 CANADA INC.

Between:

THE TORONTO-DOMINION BANK

Applicant

and

**MERIDIEN ATLANTIC FISHING LTD.,
ROCKY COAST SEAFOODS LTD. and 9514228 CANADA INC.**

Respondents

Notice of Motion

To: Service List at Schedule "A"

Motion

Deloitte Restructuring Inc. ("**Deloitte**"), as Receiver of all of the assets, undertakings and properties of Meridien Atlantic Fishing Ltd., Rocky Coast Seafoods Ltd. and 9514228 Canada Inc. (the "**Companies**") acquired for, or used in relation to a business carried on by the Companies, moves for the following relief:

1. sealing of the Confidential Supplement to the Fourth Report dated November 9, 2023;
2. approval of the sale of the real property located at 747 Highway 1, Comeauville, Digby County, Nova Scotia and the personal property located thereon;
3. approval of the sale of certain fishing licenses and quotas; and
4. approval of the Receiver's activities to date.

Time and place

The motion is to be heard by a judge on Friday, November 17, 2023 at 9:30 a.m. at the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia. The moving party has set the motion for hearing in a half day or less 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:

- *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3;
- *Bankruptcy and Insolvency General Rules*, CRC, c. 368, Rule 6 (providing for 4 days' notice of the motion); and
- *Nova Scotia Civil Procedure Rules* 2.03, 23 and 85.

Evidence

The evidence in support of the motion is as follows:

1. Previous Reports of Deloitte filed with this Court;
2. Fourth Report of Deloitte dated November 9, 2023, filed with this motion;
3. Confidential Supplement to the Fourth Report dated November 9, 2023 (sealed); and
4. Solicitor's Affidavit of David Wedlake sworn on November 9, 2023, filed with this motion.

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 November 9, 2023



Sara L. Scott / David Wedlake
Stewart McKelvey
600-1741 Lower Water Street
Halifax, NS B3J 0J2
Telephone: (902) 420-3363
Facsimile: (902) 420-1417
Counsel for the Receiver,
Deloitte Restructuring Inc.

**Schedule "A"
Service List**

| PARTY | CONTACT |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The Toronto Dominion Bank c/o Cox & Palmer Nova Centre, South Tower 1500-1625 Grafton Street PO Box 2380 Central Halifax, NS B3J 3E5</p> | <p>Email: GMacDonald@coxandpalmer.com Attention: Gavin MacDonald</p> <p>Email: dcassidy@coxandpalmer.com Attention: Devon Cassidy</p> |
| <p>Deloitte Restructuring Inc. Queen's Marque 800-1741 Lower Water Street Halifax, NS B3J 0J2</p> <p>Stewart McKelvey Queen's Marque 600-1741 Lower Water Street, Halifax, NS B3J 0J2</p> | <p>Email: iforan@deloitte.ca Attention: James Foran, LIT</p> <p>Email: kmacleod@deloitte.ca Attention: Kurt Macleod, LIT</p> <p>Email: sscott@stewartmckelvey.com Attention: Sara Scott, P. Eng.</p> |
| <p>9514228 Canada Inc. c/o BOYNECLARKE LLP Metropolitan Place, Suite 600 99 Wyse Road Dartmouth, NS B2Y 3Z5</p> | <p>Email: tsmith@boyneclarke.ca Attention: Tracy Smith</p> |
| <p>6318703 Canada Inc. c/o BOYNECLARKE LLP Metropolitan Place, Suite 600 99 Wyse Road Dartmouth, NS B2Y 3Z5</p> | <p>Email: tsmith@boyneclarke.ca Attention: Tracy Smith</p> |
| <p>Wayne White Law Office PLC Inc. Unit 102A, Summerville Condominiums 386 Elizabeth Avenue St. John's NL A1B 1V2</p> | <p>Email: wwhite@nfld.net Attention: Wayne White</p> |
| <p>Louis D'Entremont D'Entremont & Boudreau PO Box 118 Pubnico, NS B0W 2W0</p> | <p>Email: louis@dentremontboudreau.com Attention: Louis D'Entremont</p> |

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Workers' Compensation Board of NS 5668 South Street Halifax NS B3J 2Y2</p> | <p>Email: brenda.carvery@wcb.ns.ca Attention: Brenda Carvery</p> |
| <p>Office of the Superintendent of Bankruptcy Maritime Centre 1505 Barrington Street, 16th floor Halifax, NS B3J 2X6</p> | <p>Email: kyndra.taylor@ised-isde.gc.ca Attention: Kyndra Taylor</p> <p>Email: helen.zebedee@ised-isde.gc.ca Attention: Helen Zebedee</p> |
| <p>Canada Revenue Agency Insolvency Division 145 Hobsons Lake Drive Halifax, NS B3J 215</p> | <p>Email: mike.maclean@cra-arc.gc.ca Attention: Mike MacLean</p> |