

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**THE TORONTO-DOMINION BANK**

Applicant

and

**DRYTECH INTERNATIONAL INC. and 6892639 CANADA INC.**

Respondents

**NOTICE OF MOTION  
[SEALING ORDER – SUPPLEMENTARY REPORT TO THE  
RECEIVER’S THIRD REPORT TO THE COURT]**

Deloitte Restructuring Inc. (the “Receiver”), in its capacity as the receiver of all of the assets, undertakings and properties of Drytech International Inc. (“Drytech”) and 6892639 Canada Inc. (collectively the “Debtors”), will make a motion to a Judge on Monday September 12, 2016 at 4:30 p.m. or as soon after that time as the motion can be heard, at the Court House, 161 Elgin Street, Ottawa, Ontario.

**PROPOSED METHOD OF HEARING:**

The motion is to be heard orally.

**THE MOTION IS FOR:**

- (a) if necessary, an Order abridging the time for, and validating the method of, service of the Notice of Motion and directing that any further service of the Notice of Motion be dispensed with such that this motion is properly returnable on September 12, 2016; and

- (b) an Order permanently sealing the Supplementary Report to the Third Report dated September 6, 2016.

**THE GROUNDS FOR THE MOTION ARE:**

- (a) pursuant to an Order dated as of April 11, 2016, the Receiver was appointed as receiver of all of the assets, undertakings and properties of Drytech and 6892639 Canada Inc. (the "Property") pursuant to Section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. C.43;
- (b) since its appointment on April 11, 2016, the Receiver has pursued its mandate to take possession of, and exercise control over, the Property and to sell, convey, transfer, lease or assign the Property, including pursuing the sale of assets of Drytech located in Canada and in the United States of America;
- (c) the Receiver wishes to present the Court with a Supplementary Report to the Third Report (the "Supplemental Report") which contains information regarding the Receiver's efforts to sell assets of Drytech located in Canada and in Ocala, Florida, including financial information about bids and offers received by the Receiver from prospective purchasers of Drytech assets as well as the appraised market value and the appraised liquidation value of these assets;
- (d) the Receiver also wishes to advise the Court of the calculation of distributions to secured creditors with respect to the Receiver's realization of assets of Drytech's Certified Restoration Drycleaning Network LLC franchised restoration drycleaning operation (the "CRDN Business"), which realization is described in more detail in the Receiver's First Report to the Court and the Supplementary Report to the First Report to the Court, and which sale was approved by this Court by Order dated June 1, 2016;
- (e) the Supplemental Report contains confidential and valuable commercial information which, if disclosed to the public, could prejudice the Receiver's future sales efforts as well as divulge information which is subject to a Sealing Order made by this Court on June 1, 2016;

- (f) Rules 1.04, 2.03, 3.02 and 37 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194; and
- (g) such further and other grounds as counsel may advise and this Honourable Court permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the motion:

- (a) the Receiver's Third Report to the Court dated September 6, 2016;
- (b) the Supplementary Report to the Third Report to the Court dated September 6, 2016; and
- (c) such further and other materials as counsel may advise and this Honourable Court may permit.

DATE: September 7, 2016

**GOWLING WLG (CANADA) LLP**  
Barristers and Solicitors  
160 Elgin Street  
Suite 2600,  
Ottawa, Ontario  
K1P 1C3

**Gordon Douglas (LSUC # 363590)**

Telephone: (613) 786-8652

Facsimile: (613) 788-3635

Solicitors for Deloitte Restructuring Inc., Receiver of  
Drytech International Inc. and 6892639 Canada Inc.

TO: <http://www.insolvencies.deloitte.ca/en-ca/drytech>

**THE TORONTO-DOMINION BANK**  
Applicant

and

**DRYTECH INTERNATIONAL INC. et al.**  
Respondents

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
  
**PROCEEDING COMMENCED AT**  
**OTTAWA**

**NOTICE OF MOTION**  
**[SEALING ORDER – SUPPLEMENTARY REPORT TO**  
**THE RECEIVER’S THIRD REPORT TO THE COURT]**

**GOWLING WLG (CANADA) LLP**  
Barristers and Solicitors  
160 Elgin Street  
Suite 2600,  
Ottawa, Ontario  
K1P 1C3

**Gordon Douglas LSUC#: 363590**

Telephone: 613-233-1781  
Facsimile: 613-583-9869

Solicitors for Deloitte Restructuring Inc., Receiver of  
Drytech International Inc. and 6892639 Canada Inc.