

ONTARIO
SUPERIOR COURT OF JUSTICE
(IN BANKRUPTCY AND INSOLVENCY)

Estate Number: 33-2618511





























Court File No.: 33-2618511

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF EUREKA 93 INC. OF THE CITY
OF OTTAWA IN THE PROVINCE OF ONTARIO

AND IN THE MATTER OF THREE RELATED INTENDED PROPOSALS (LIVWELL FOODS CANADA INC.,
ARTIVA INC., AND VITALITY CBD NATURAL HEALTH PRODUCTS INC.)

ENDORSEMENT

Q Find a participant

	SCJvirtual courtroom217 (Host, me)		
	Barbara VanBunderen (Guest)		
	Benoit Duchesne (Guest)		
	Eric Golden (Guest)		
	Benjamin Blay (Guest)		
	Michael Crampton (Guest)		
	Philip Gross (Guest)		
	Andrew Lenz (Guest)		
	jo birnboim (Guest)		
	Patrick Shea (Guest)		

C. MacLeod J.: This was a motion for security for costs of the appeal. For purposes of this motion, there is no doubt that Dominion Capital on behalf of the noteholders is a foreign corporation and it has declined to provide evidence of any assets held in Ontario.

Security for costs is appropriate.

I am content that the security be deposited in the trust account for counsel for the noteholders. It will be sufficient for counsel to verify that the funds are held in trust, and for counsel to prove the court with an undertaking that the funds will not be encroached upon, disbursed or released without a court order.

I am ordering the security to be posted in the amount of \$40,000.00 no later than the close of business on September 17th, 2020.

I am declining the request of the Trustee to adjourn the hearing of the appeal. The hearing will take place in virtual court 217 at 10:00 a.m. on September 18th, 2020.

In the event the security is not posted as required, the court will entertain the Trustee's submission that the appeal be stayed or dismissed and will hear argument concerning any other appropriate relief.

September 14, 2020

Mr. Justice C. MacLeod