

Supreme Court of Nova Scotia  
In Bankruptcy and Insolvency

IN THE MATTER OF:      The Receivership of Atlantic Oriental Wholesale (AOW) Inc.

BETWEEN:

Business Development Bank of Canada,

Applicant

and

Atlantic Oriental Wholesale (AOW) Inc.

Respondent

**Notice of Motion**

**To:**    The Service List attached as Schedule "A"

**Motion**

Deloitte Restructuring Inc. ("**Receiver**"), the Court Appointed Receiver and Manager of the assets, collateral and undertaking ("**Assets**") of the Respondent, Atlantic Oriental Wholesale (AOW) Inc., in this proceeding, moves for, *inter alia*, the following:

1. an order abridging time (if required) pursuant to Rule 6 of the *Bankruptcy and Insolvency Act* and *Insolvency General Rules*;
2. an order for confidentiality pursuant to *Nova Scotia Civil Procedure Rule* 85.04 as regards the confidential supplement ("**Confidential Supplement**") to the third report of the Receiver dated December 11, 2024 ("**Third Report**");
3. an order pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, approving the sale by the Receiver of the real property located at 70 Seal Point Road, Upper Port La Tour, Nova Scotia, on the terms and conditions set out in the Receiver's Third Report and its Confidential Supplement, and also providing that:
  - a. the real property shall vest in the Purchaser thereof free and clear of any claims, liens, or encumbrances other than Permitted Encumbrances;

- b. that the monies paid to the Receiver pursuant to the sale of the real property shall stand in the place and stead of it for the purpose of determining the nature of the Property and claims thereto; and
- c. an order approving the contents of the Third Report and Confidential Supplement and the conduct and activities of the Receiver therein.

**Time and place**

The motion is to be heard by a judge on December 20, 2024, at 11:00 a.m. in The Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia, B3J 1S7. The moving party has [set the motion for hearing in a half-hour 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: section 243 of the *Bankruptcy and Insolvency Act*

**Evidence**

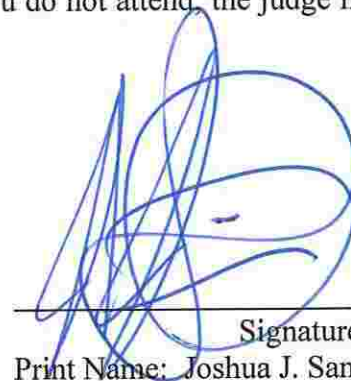
The evidence in support of the motion is as follows: The Third Report; affidavit of Joshua J. Santimaw and the Confidential Supplement all filed with this notice.

**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 December 11, 2024



Signature

Print Name: Joshua J. Santimaw

## **Schedule "A"**

### **Atlantic Oriental Wholesale (AOW) Inc.**

c/o Matthew J.D. Moir  
Weldon McInnis  
118 Ochterlony Street  
Dartmouth, NS B2Y 1C7  
Email: [mmoir@weldonmcinnis.ca](mailto:mmoir@weldonmcinnis.ca)

### **Royal Bank of Canada**

c/o David Wedlake  
Stewart McKelvey  
1741 Lower Water St.  
Suite 600  
Halifax, NS B3J 0J2  
Email: [dwedlake@stewartmckelvey.com](mailto:dwedlake@stewartmckelvey.com)

### **De Lage Landen Financial Services Canada Inc.**

c/o Charles Reagh, Recognised Agent  
Stewart McKelvey  
1741 Lower Water St.  
Suite 600  
Halifax, NS B3J 0J2  
Email: [creagh@stewartmckelvey.com](mailto:creagh@stewartmckelvey.com)

### **CWB National Leasing Inc.**

c/o Maurice Chiasson, Recognised Agent  
Stewart McKelvey  
1741 Lower Water St.  
Suite 600  
Halifax, NS B3J 0J2  
Email: [mchiasson@stewartmckelvey.com](mailto:mchiasson@stewartmckelvey.com)

### **The Office of the Superintendent of Bankruptcy Canada**

c/o Abdulwahid Nasser, Bankruptcy Assistant  
Room 1605, Maritime Centre  
1505 Barrington Street  
Halifax NS B3J 3K5  
Email: [abdulwahid.nasser@canada.ca](mailto:abdulwahid.nasser@canada.ca)

### **Canada Revenue Agency**

c/o Karen Henderson,  
Insolvency Collections Officer,  
Nova Scotia Tax Services Office  
100-145 Hobson's Laker Drive  
Halifax, NS B3S QJ1