

IN THE COURT OF KING'S BENCH OF NEW BRUNSWICK
TRIAL DIVISION
JUDICIAL DISTRICT OF SAINT JOHN

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, R.S.C. 1985, c.C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF SOUTH SHORE SEAFOODS LTD.,
CAPTAIN COOKE'S SEAFOOD INC., BY THE WATER
SHELLFISH (2012) INC., CAN-AM LOBSTER & SHELLFISH
LTD., SOUTH SHORE SEAFOODS INTERNATIONAL LTD.,
BRIDGE LOBSTERS LIMITED, ARSENAULT'S FISH MART
INC. (each a "Company" and collectively the "Companies")

BETWEEN:

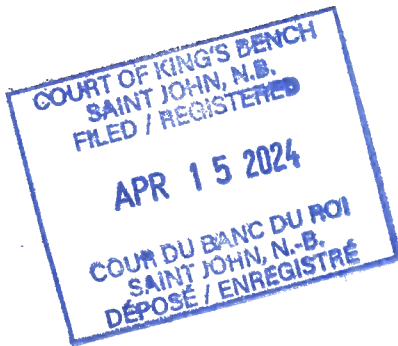
THE TORONTO-DOMINION BANK

APPLICANT

- and -

SOUTH SHORE SEAFOODS LTD., CAPTAIN COOKE'S
SEAFOOD INC., BY THE WATER SHELLFISH (2012) INC.,
CAN-AM LOBSTER & SHELLFISH LTD., SOUTH SHORE
SEAFOODS INTERNATIONAL LTD., BRIDGE LOBSTERS
LIMITED, ARSENAULT'S FISH MART INC.

RESPONDENTS



ORDER
(Stay Extension and WEPPA)

THIS MOTION, made by Deloitte Restructuring Inc. ("**Deloitte**"), in its capacity as the court-appointed Monitor (the "**Monitor**") of South Shore Seafoods Ltd., Captain Cooke's Seafood Inc., By the Water Shellfish (2012) Inc., Can-Am Lobster & Shellfish Ltd., South Shore Seafoods International Ltd., Bridge Lobsters Limited and Arsenault's Fish Mart Inc. (collectively, the "**Debtors**"), for an order approving, among other things:

- (i) the extension of the Stay Period (as defined in the Amended and Restated Initial Order dated October 25, 2023 (the "**Amended and Restated Initial Order**") as subsequently extended) from April 30, 2024 to August 30, 2024;

- (ii) declaring that the Debtors, and their collective former employees meet the criteria established by section 3.2 of the *Wage Earner Protection Regulations*, SOR/2008-222 (the “WEPPA Regulation” issued pursuant to the *Wage Earner Protection Act*, SC 2005, c. 47 (the “WEPPA”) and are individuals to whom the WEPPA applies;
- (iii) approving the activities of the Monitor, as set out in the seventh report of the Monitor dated April 10, 2024 (the “**Seventh Report**”); and

was heard on the 15th day of April, 2024;

UPON reading the Notice of Motion, the Seventh Report;

AND UPON hearing the submissions of counsel for the Applicant, the Monitor and those other parties present, and no one appearing on the Service List, although duly served as appears from the Affidavit of Service of Simon-Pierre Godbout dated April 11, 2024;

AND UPON reading the material as filed by counsel;

IT IS HEREBY ORDERED AS FOLLOWS:

SERVICE

1. The service of the Notice of Motion, the Record on Motion and the Seventh Report, as set out in the Affidavit of Service, is deemed adequate so that this Motion is properly returnable today and further service thereof is hereby dispensed with.

STAY EXTENSION

2. The Stay Period, as defined in the Amended and Restated Initial Order (as subsequently extended), be and is hereby extended up to and including August 30, 2024.

APPROVAL OF THE MONITOR'S ACTIONS

3. The actions of the Monitor, as specified in the Seventh Report, be and are hereby approved.

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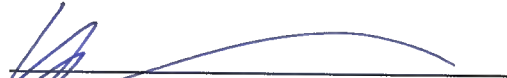
WEPPA

4. The Debtors, and their collective former employees, meet the criteria established by section 3.2 of the *Wage Earner Protection Regulations*, SOR/2008-222 (the “WEPPA Regulation” issued pursuant to the *Wage Earner Protection Act*, SC 2005, c. 47 (the “WEPPA”) and are individuals to whom the WEPPA applies.

GENERAL

5. The aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States is hereby requested, to give effect to this Order and to assist the Applicant, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicant and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.

Dated at Saint John, New Brunswick, this 15th day of April, 2024.



Justice of the Court of King's Bench
of New Brunswick