2016 Hfx. No. 454744

# Supreme Court of Nova Scotia

Application by Victory Farms Incorporated and Jonathan Mullen Mink Ranch Limited for relief under the Companies' Creditors Arrangement Act

Court Administration

MAY 19 2017

Halifax, N.S.

#### **Notice of Motion**

To: The Service List (as attached as Schedule "A")

#### Motion

Victory Farms Incorporated and Jonathan Mullen Mink Ranch Limited, the Applicants in this proceeding, move for an order extending the stay of proceedings granted on August 31, 2016, up to and including August 31, 2017.

# Time and place

The motion is to be heard by a judge in chambers on May 31, 2017 at 11 a.m. in The Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia, B3J 1S7.

#### References

The moving party relies on the following legislation, Rules, or points of law:

Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36, section 11.02(2).

#### Evidence

The evidence in support of the motion is as follows:

- (a) the Eight Report of the Monitor, Deloitte Restructuring Inc., to be filed;
- (b) the Affidavit of Tim Hill, Q.C. filed on this motion; and
- (b) such other evidence as may be filed.

## 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

Dated May 16, 2017

Tim Hill, Q.C.

**BOYNECLARKE LLP** 

Barristers and Solicitors 99 Wyse Road, Suite 700

Dartmouth, Nova Scotia B3A 4S5 (902) 460-3442

Telephone:

(902) 463-7500

Fax:

Solicitor for the Applicants

## Schedule "A"

#### **SERVICE LIST**

Workers' Compensation Board of Nova Scotia P.O. BOX 1150 5668 SOUTH ST Halifax NS B3J 2Y2 Canada Fax #: 902-491-8325

Attn: Marg Organ, Senior Collections Officer

American Legend Cooperative 200 S.W. 34th Street Renton WA 98055, USA

#### Counsel:

Maurice Chiasson, Q,C. Stewart McKelvey Suite 900 Purdy's Wharf Tower One 1959 Upper Water Street Halifax, NS, Canada B3J 3N2

## mchiasson@stewartmckelvev.com

Nova Scotia Farm Loan Board MacRae Library Building Floor 1st Suite 1 137 College Road Truro NS B2N 5E3

Attn: Karen Tulkins karen.tulkens@novascotia.ca

John Murray John.E.Murray@novascotia.ca

Farm Credit Canada 1133 St. George BOUL Moncton NB E1E4E1 Canada

## Counsel

Josh J.B. McElman
Cox & Palmer
Brunswick Square, Suite 1500
1 Germain Street
Saint John, NB E2L 4V1
Phone 506 633 2708
Fax 506 632 8809
jmcelman@coxandpalmer.com

Gavin D. F. MacDonald Cox & Palmer Purdy's Wharf, Tower I 1100-1959 Upper Water Street Halifax, NS B3J 3N2 Phone: 902 491 4464 Fax: 902 421 3130

gmacdonald@coxandpalmer.com

Bank of Nova Scotia - Atlantic CAU 1465 Brenton Street, 4th Floor Halifax NS B3J3T4 Canada

CNH Industrial Capital Canada Ltd. 4475 North Service Road Burlington ON L7L 4X7 Canada

#### Counsel

Colin Piercey Stewart McKelvy Suite 900 Purdy's Wharf Tower One 1959 Upper Water Street Halifax, NS, Canada B3J 3N2

cpiercey@stewartmckelvey.com

North American Fur Auctions Inc. 65 Skyway Avenue Toronto ON M9W 6C7 Canada Fax #: 416-213-2162

Attn: Douglas Lawson Senior Vice President

dlawson@nafa.ca

Counsel

Brian Stilwell Bstilwell@BurchellMacDougall.com

Deloitte Restructuring Inc 1969 Upper Water Street, Suite 1500, Halifax, NS, Canada B3J 3R7

Attn: James Foran

Neil Jones

Email: jforan@deloitte.ca

neiljones@deloitte.ca

#### Counsel

McInnes Cooper 1969 Upper Water Street Suite 1300 Purdy's Wharf Tower II Halifax, NS, B3J 2V1 Fax #: 902 425 6350

Attn: Ben R. Durnford John Stringer, Q.C.

Email: ben.durnford@mcinnescooper.com

<u>John.stringer@mcinnescooper.com</u>

Tipper McEwan Stewart Mckelvey 902.444.1743 tmcewan@stewartmckelvey.com