

2016

AUG 09 2017

Hfx. No. 454744

Halifax, N.S. Supreme Court of Nova Scotia

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

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 December 1, 2017.

Time and place

The motion is to be heard by a judge in chambers on August 18, 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 Ninth 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 August 9, 2017



Tim Hill, Q.C.

BOYNECLARKE LLP

Barristers and Solicitors

99 Wyse Road, Suite 700

Dartmouth, Nova Scotia B3A 4S5

Telephone: (902) 460-3442

Fax: (902) 463-7500

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@stewartmckelvey.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
john.stringer@mcinnescooper.com

Tipper McEwan
Stewart Mckelvey
902.444.1743
tmcewan@stewartmckelvey.com