

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

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 AND ARRANGEMENT OF  
JTI-MACDONALD CORP.

Applicant

FIRST REPORT OF THE CCAA PLAN ADMINISTRATOR  
October 23, 2025

INTRODUCTION<sup>1</sup>

1. On March 8, 2019, JTI-Macdonald Corp. (“**JTIM**”, the “**Company**” or the “**Applicant**”) applied for and obtained an initial order (the “**Initial Order**”) under the *Companies' Creditors Arrangement Act* that, amongst other things, (i) granted a stay of proceedings in favour of the Applicant and a limited stay of proceedings in favour of certain affiliates of the Applicant in relation to certain proceedings, and (ii) appointed Deloitte Restructuring Inc. as monitor (in such capacity, the “**Monitor**”) of the Applicant in this CCAA proceeding (the “**CCAA Proceeding**”).
2. On April 25, 2019, this Court (the “**CCAA Court**”) issued a further amended and restated Initial Order (the “**Second Amended and Restated Initial Order**”) that, amongst other things, extended a limited stay of proceedings to the Other Defendants (as defined in the Second Amended and Restated Initial Order).
3. Pursuant to Orders dated October 31, 2024, this Court among other things, approved the filing of a plan of compromise or arrangement dated October 17, 2024 (the “**CCAA Plan**”) in respect of the Applicant, set the meeting of creditors for December 12, 2024 (the “**JTIM Meeting**”) for affected creditors to vote on the CCAA Plan (such creditors, the “**Eligible**”).

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<sup>1</sup> Capitalized terms used but not otherwise defined have the meanings ascribed to them in the Court-Appointed Mediator's and Monitor's Fourth Amended and Restated Plan of Compromise and Arrangement in respect of the Applicant dated August 27, 2025 (the “**Fourth A&R JTIM Plan**”).

**Voting Creditors**”), and approved a claims procedure to identify affected claims against the Applicant for purposes of voting on the CCAA Plan.

4. On December 5, 2024, the Monitor served the first amended and restated plan of compromise or arrangement in respect of the Applicant (the “**A&R JTIM Plan**”) on the Common Service List. The JTIM Meeting took place virtually on December 12, 2024 and the A&R JTIM Plan was unanimously approved by the Eligible Voting Creditors. The A&R JTIM Plan was further amended and restated three times, including on February 27, 2025 (such amended and restated version, the “**Third A&R JTIM Plan**”).
5. On March 6, 2025, the CCAA Court issued an Order (the “**Sanction Order**”) and endorsement sanctioning the Third A&R JTIM Plan. On the same day, the Court issued an Order appointing Deloitte Restructuring Inc. as the CCAA Plan Administrator in respect of JTIM (the “**CCAA Plan Administrator**”).
6. On August 27, 2025, the CCAA Court issued an Order approving the Fourth A&R JTIM Plan which further amended the Third A&R JTIM Plan. The Fourth A&R JTIM Plan was implemented on August 29, 2025.

## **PURPOSE**

7. The purpose of this first report of the CCAA Plan Administrator (the “**First Report**”) is to provide information to this Court with respect to:
  - i) the progress of the administration of the Pan-Canadian Claimants’ Compensation Plan (the “**PCC Claims Administration**”) and the Quebec Class Action Administration Plan (the “**QCAP Claims Administration**”); and
  - ii) the communication protocol between the CCAA Court and the Quebec Superior Court (the “**Court-to-Court Communication Protocol**”).

## **TERMS OF REFERENCE**

8. In preparing this First Report and making the comments herein, the CCAA Plan Administrator has been provided with, and has relied upon information provided by and

discussions held with Epiq Class Action Services Canada, Inc. (“**Epiq**”) (collectively, the “**Information**”).

9. Unless otherwise indicated, the CCAA Plan Administrator’s understanding of factual matters expressed in this First Report concerning the Applicant and its business and the PCC Claims Administration and QCAP Claims Administration are based on the Information, and not independent factual determinations made by the CCAA Plan Administrator.
10. Copies of the Monitor’s prior reports and all motion records and Orders in the CCAA Proceeding are available on the Monitor/CCAA Plan Administrator’s website at [www.insolvencies.deloitte.ca/en-ca/JTIM](http://www.insolvencies.deloitte.ca/en-ca/JTIM). The Monitor/CCAA Plan Administrator has also established a toll-free phone number that is referenced on the Monitor/CCAA Plan Administrator’s website so that parties may contact the CCAA Plan Administrator if they have questions with respect to the CCAA Proceeding.
11. This First Report was prepared in coordination with the CCAA Plan Administrators of the other Tobacco Companies. The CCAA Plan Administrator understands that the reports to be filed by such other CCAA Plan Administrators will be substantially the same as this First Report.

## **PCC COMPENSATION PLAN AND QUEBEC ADMINISTRATION PLAN**

12. Following the implementation of the Fourth A&R JTIM Plan, the QCAP Claims Administration and PCC Claims Administration were commenced on August 29, 2025 and September 2, 2025, respectively. The QCAP Claims Application Deadline to file QCAP Claims is August 31, 2026 and the PCC Claims Application Deadline to file PCC Claims is September 3, 2027. Pursuant to the terms of the Claims Administrator Order dated August 27, 2025, Epiq, in its role as Claims Administrator (in such capacity, the “**Claims Administrator**”), has provided the CCAA Plan Administrators, the Court-Appointed Mediator and certain other parties with weekly reports that include details on the costs incurred and the progress of the QCAP Claims Administration and PCC Claims Administration.

13. As of October 12, 2025, the Claims Administrator reports that 156 PCC Claims and 288 QCAP Claims have been submitted to the Claims Administrator for review; no PCC Claims or QCAP Claims have been approved or rejected. Mass media promotion of the QCAP Claims Administration and PCC Claims Administration is expected to begin shortly with newspaper advertisements scheduled to begin running on November 5, 2025. The CCAA Plan Administrator has been advised by the Claims Administrator that a ramp up of this nature is normal in claims administrations of this kind. Furthermore, the Claims Administrator has advised the CCAA Plan Administrator that all minor start up issues have been resolved satisfactorily in a timely fashion.
14. The CCAA Plan Administrator understands that, pursuant to an Order issued by the Quebec Superior Court, the Régie de L'assurance Maladie du Québec has provided certain personal medical information of the Quebec Class Action Plaintiffs and Pan-Canadian Claimants to the agent for the QCAPs and to Epiq in its capacity as PCC Agent to assist with the preparation of individual claims
15. The Claims Administrator is further required to provide a report to the CCAA Plan Administrator identifying and explaining any unusual, unexpected or inexplicable events that occurred or are out of the ordinary trends observed in the PCC Claims Administration and the QCAP Claims Administration. No such reports have been made to date. In the event any such events are reported by the Claims Administrator, the CCAA Plan Administrator will further report to the CCAA Court.

## **COURT TO COURT COMMUNICATION PROTOCOL**

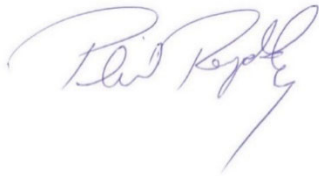
16. Pursuant to the terms of the Fourth A&R JTIM Plan, the CCAA Court and the Quebec Superior Court have joint oversight and supervision of the QCAP Claims Administration.
17. To facilitate this oversight and supervision, on October 17, 2025, the CCAA Court and Quebec Superior Court jointly approved a Court-to-Court Communication Protocol. The Court-to-Court Communication Protocol was served on the Common Service List on October 17, 2025.

18. Among other things, the Court-to-Court Communication Protocol stipulates that the Quebec Superior Court and CCAA Court may communicate with each other, no party other than the Court-Appointed Mediator, the CCAA Plan Administrators/Monitors or their counsel may communicate with either Court on an *ex parte* basis, and any joint hearings shall be heard in writing, unless otherwise directed by the Courts. The Court-to-Court Communication Protocol is attached as Appendix “A”.

All of which is respectfully submitted this 23<sup>rd</sup> day of October, 2025.

**Deloitte Restructuring Inc.**  
**Solely in its capacity as CCAA Plan Administrator of**  
**JTI-Macdonald Corp. and not in its personal capacity**

Per:

A handwritten signature in blue ink, appearing to read "Phil Reynolds", with a stylized flourish extending from the bottom.

Phil Reynolds, LIT  
Senior Vice-President

## **APPENDIX “A”**



SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST

**Direction**

COURT FILE NO.: CV-19-616077-00CL  
CV-19-616779-00CL  
CV-19-615862-00CL

DATE: October 15, 2025

IMPERIAL TOBACCO CANADA LIMITED et al v. JTI-MACDONALD CORP. et al  
&  
ROTHMANS, BENSON & HEDGES INC. v. IMPERIAL TOBACCO CANADA LIMITED et al  
&  
JTI-MACDONALD CORP. et al v. BENSON & HEDGES INC. et al

SUPERIOR COURT OF QUÉBEC  
N°: 500-06-000076-980

CONSEIL QUÉBÉCOIS SUR LE TABAC ET LA SANTÉ  
-and-  
JEAN-YVES BLAIS  
-and-  
JTI-MACDONALD CORP.  
-and-  
IMPERIAL TOBACCO CANADA LIMITED  
-and-  
ROTHMANS, BENSON & HEDGES INC.  
v.  
FTI CONSULTING CANADA INC.  
-and-  
ERNST & YOUNG INC.  
-and-  
DELOITTE RESTRUCTURING INC.

**DIRECTION**

[1] Pursuant to Section 7.2 of the CCAA Plans, the Ontario Superior Court of Justice (the “CCAA Court”) and the Superior Court of Québec approve the Court-to-Court Communication Protocol attached as Schedule “A”.

Catherine Piche  
Signature numérique  
de Catherine Piche  
Date : 2025.10.17  
14:33:04 -04'00'

Justice Catherine Piché

  
Chief Justice Geoffrey B. Morawetz

**COURT-TO-COURT COMMUNICATION PROTOCOL  
(CCAA COURT & SUPERIOR COURT OF QUÉBEC)**

**Background**

1. Pursuant to Section 7.2 of the CCAA Plans, certain procedural matters related to the ongoing supervision of the Québec Administration Plan are to be heard and determined jointly by the CCAA Court and the Superior Court of Québec (together the “**Courts**”). In performing this function, the Courts may establish a protocol for communicating with each other.<sup>1</sup>

2. This protocol (the “**Court-to-Court Protocol**”) is intended to govern the communications between the Courts in respect of the supervision of the Québec Administration Plan for the efficient administration thereof and was informed by the “Guidelines for Communication and Cooperation between Courts in Cross-Border Insolvency Matters” issued by the Judicial Insolvency Network in 2016 which can be found [here](#).

**COMMUNICATION AND COOPERATION**

3. The Courts may communicate between one another directly, with or without counsel present, to discuss, on an on-going basis, the supervision of the Québec Administration Plan. No party, other than the Court-Appointed Mediator in accordance with the Endorsement dated May 24, 2019, and the CCAA Plan Administrators/Monitors or their counsel in their capacity as Court Officers, may communicate with the Courts on an *ex parte* basis.

4. The Courts may also communicate with each other for the purpose of making the Joint Hearing (as defined below) efficient and orderly and to resolve any procedural, administrative or preliminary

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<sup>1</sup> For ease of reference, capitalized terms used but undefined herein have the meanings given to such terms in the Fourth Amended and Restated Court-Appointed Mediator’s and Monitors’ CCAA Plans of Compromise and Arrangement in respect of Imperial, RBH and JTIM each dated August 27, 2025 (as may be amended, restated, supplemented or otherwise modified, the “**CCAA Plans**”).

## Schedule “A”

matters. Such communications may take place through the following methods or such other method as may be agreed by the Courts:

- (a) sending or transmitting copies of draft or formal orders, judgments, opinions, reasons for decision, endorsements, transcripts of proceedings or other documents directly to the Courts and if appropriate, in their sole discretion, providing advance notice to counsel for affected parties in such manner as the Courts consider appropriate, in their sole discretion; and
- (b) directing counsel to transmit or deliver copies of documents, pleadings, affidavits, briefs or other documents that are filed or to be filed with the Courts in such fashion as may be appropriate and, if appropriate in their sole discretion, providing advance notice to counsel for affected parties in such manner as the Courts consider appropriate, in their sole discretion.

## JOINT HEARINGS

5. The Courts may conduct a joint hearing (a “**Joint Hearing**”) in respect of a procedural matter related to the supervision of the Québec Administration Plan. In connection with any Joint Hearing, the following shall apply:

- (a) Joint Hearings shall be heard in writing, unless otherwise directed by the Courts;
- (b) if a Joint Hearing is directed by the Courts to be heard orally, the Courts must be able simultaneously to hear and view the proceedings. Consideration will be given as to how to provide the best virtual/audio-visual access possible including translation capability;
- (c) the Courts shall coordinate the process and format for submissions and evidence filed or to be filed prior to the Joint Hearing;

## Schedule "A"

- (d) the Courts are entitled to communicate with each other in advance of a Joint Hearing, with or without counsel being present, to establish the procedures for the orderly making of submissions (if not heard in writing), and to resolve any procedural, administrative or preliminary matters;
- (e) the Courts, subsequent to the Joint Hearing, are entitled to communicate with each other, without counsel present, for the purpose of deliberating; and
- (f) any decision rendered in respect of a Joint Hearing, whether heard in writing or otherwise, shall be in the form of a short written endorsement issued jointly by the Courts, unless otherwise determined by the Courts.

Catherine  
Piche

Signature numérique  
de Catherine Piche  
Date : 2025.10.17  
14:33:44 -04'00'

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**Justice Catherine Piché**



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**Chief Justice Geoffrey B. Morawetz**

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**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**  
PROCEEDING COMMENCED AT TORONTO

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**FIRST REPORT OF THE CCAA PLAN  
ADMINISTRATOR**

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**Lawyers for Deloitte in its capacity as CCAA Plan  
Administrator of JTI-Macdonald Corp.**

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