



Deloitte Restructuring Inc.
8 Adelaide St. West
Suite 200
Toronto, ON M5H 0A9
Canada

Estate No. 33-2618511

Tel: 416-775-7326
Fax: 416-601-6690
www.deloitte.ca

**IN THE MATTER OF THE PROPOSAL OF
EUREKA 93 INC.**

To the Creditors of Eureka 93 Inc.:

Please take notice that on February 14, 2020 (the “**Filing Date**”), Eureka 93 Inc. (the “**Company**”) filed a Notice of Intention to Make a Proposal (the “**NOI**”) pursuant to Section 50.4(1) of the *Bankruptcy and Insolvency Act* (the “**BIA**”) and Deloitte Restructuring Inc. has been named as Trustee (“**Deloitte**” or the “**Trustee**”) under the NOI. Related entities Artiva Inc., LiveWell Foods Canada Inc. and Vitality CBD Natural Health Products Inc. (the “**Related Entities**”) also filed NOIs on the Filing Date and creditors of those entities will be sent a separate notice.

Pursuant to Section 69(1) of the BIA, the effect of filing an NOI is an automatic stay of proceedings (the “**Stay**”) against all creditors from continuing or commencing any actions against the Company. The Company has 30 days within which to file a Proposal to its creditors, or to seek an extension of the time from the Ontario Superior Court of Justice (the “**Court**”) to file a Proposal.

Enclosed with this letter are the following documents for your records:

- A copy of the NOI;
- A list of known creditors with debts greater than \$250 as at the Filing Date;
- A Certificate of Filing of a NOI issued by the Official Receiver; and
- The Consent of the Trustee.

The Company is continuing to operate and maintain its business in the ordinary course during the NOI proceedings and the Trustee is required to monitor the Company’s business and affairs during the Stay and to report any material adverse changes to the Office of the Superintendent of Bankruptcy and the Court.

The Company has negotiated for new financing called “debtor-in-possession” or “DIP” financing to provide additional liquidity during the NOI proceedings for which it will be seeking Court approval. The Company will also be seeking an administrative consolidation of its proposal proceedings with the Related Entities.

The NOI generally prohibits the Company from paying for goods and services that were received on or before the Filing Date and if you are owed monies for goods or services supplied on or before the Filing Date, you will have the opportunity to file a Proof of Claim once a claims process is established. Suppliers should provide invoices to the Company for goods and services delivered up to and including Filing Date and prepare separate invoices for all goods and services delivered after the Filing Date.

Notice to Creditors of Eureka 93 Inc.

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Updates and information related to the NOI proceedings will be posted on Deloitte's website at www.insolvencies.deloitte.ca under the link entitled "Eureka 93 Inc. et al". Should you have additional questions, please contact Stacey Greenbaum by e-mail at sgreenbaum@deloitte.ca or by telephone at 416-874-4320.

Dated at Toronto, Ontario this 19th day of February, 2020.

Yours truly,

DELOITTE RESTRUCTURING INC.

In its capacity as the Proposal Trustee for
Eureka 93 Inc. and not in its personal or corporate capacity

A handwritten signature in black ink, appearing to read "Hartley Bricks". The signature is written in a cursive, flowing style.

Per: Hartley Bricks, MBA, CPA, CA, CIRP, LIT
Senior Vice President

Enc.

District of: Ontario
Division No. 12 - Ottawa
Court No.
Estate No.

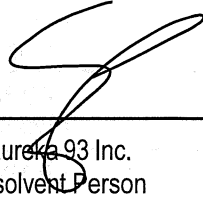
- FORM 33 -
Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

In the matter of the proposal of
Eureka 93 Inc.
of the City of Ottawa, in the Province of Ontario

Take notice that:

1. I, Eureka 93 Inc., an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.
2. Deloitte Restructuring Inc. of Bay Adelaide East, 8 Adelaide Street West, Suite 200, Toronto, ON, M5H 0A9, a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.
3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.
4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at the City of Ottawa in the Province of Ontario, this 14th day of February 2020.



Eureka 93 Inc.
Insolvent Person

To be completed by Official Receiver:

Filing Date

Official Receiver

District of: Ontario
 Division No. 12 - Ottawa
 Court No.
 Estate No.

- FORM 33 -
 Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)
 In the matter of the proposal of
 Eureka 93 Inc.
 of the City of Ottawa, in the Province of Ontario

List of Creditors with claims of \$250 or more.			
Creditor	Address	Account#	Claim Amount
Bay Street HR	1 University Avenue, 18th Floor Toronto ON M5J 2P1		15,520.55
BDO Canada	1000 Rue De La Gauchetiere Ouest, Bur 200 Montreal QC H3B 4W5		2,681.22
Borden Lander Gervais LLP	100 Queen Street, Suite 1300 Ottawa ON K1P 1J9		5,071.44
Bridge West CPAs & Consultants LLC	1714 Duchess Drive Longmont CO 80501 USA		14,071.18
Broadridge	PO Box 416423 Boston MA 02241 USA		8,260.14
Broadridge	PO Box 57461, Station A Toronto ON M5W 5W5		5,808.43
CBRE Ltd.	380 Wellington Street, Suite 30 London ON N6A 5B5		1,695.00
CIBC World Markets	161 Bay St., Toronto ON M5J 2S8		81,109.07
Dominion Capital LLC, BPY Ltd., Nomis Bay Ltd and MMCAP International Inc. SPC	341 West 38th Street, Suite 800 New York NY 10018		11,004,000.00
Dr. Calving R Stiller	4 Tallwood St., London ON		92,717.20
Evan Dion Photographer Inc	20 Leslie Street, Suite 120 Toronto ON M4M 3L4		19,012.25
Hugessen Consulting	Royal Bank Plaza, South Tower Suite 3200, PO Box 155, 200 Bay Street Toronto ON M5J 2J4		38,928.50
KCSA Strategic Communications	420 Fifth Ave, 3rd Floor New York NY 10018 USA		41,462.44
Knox-Vannest Corp.			101,575.80

District of: Ontario
 Division No. 12 - Ottawa
 Court No.
 Estate No.

- FORM 33 -

Notice of Intention To Make a Proposal
 (Subsection 50.4(1) of the Act)

In the matter of the proposal of
 Eureka 93 Inc.
 of the City of Ottawa, in the Province of Ontario

List of Creditors with claims of \$250 or more.


Creditor	Address	Account#	Claim Amount
Lawson Lundell LLP	1600 Cathedral Place Vancouver BC		51,558.61
Michael P. Mueller	Chairman of Laurentian Bank of Canada		111,575.80
MNP LLP	1155, Boul. Rene-Levesque O., 23 E Stage Montreal QC H3B 2K2		116,872.09
Nimble Communications	60 Atlantic Avenue, Suite 200 Toronto ON M6K 1X9		7,910.00
Paul G Smith	225 Richmond St. W. Toronto ON M5V 1W2		60,000.00
Perley Robertson et al	Attn: Tim McCunn 1400-340 Albert Street, Constitution Square Ottawa ON K1R 0A5		229,504.45
Perley-Robertson, Hill & McDougall LLP	340 Albert St., # 1400 Ottawa ON K1R 7Y6		373,965.79
Postmedia	365 Bloor Street East Toronto ON M4W 3L4	416-442-3376	5,173.88
Share Deposits			632,460.23
Steven Archambault	1561 Maley Lane Kanata ON K2W 1C2		10,000.00
Tim McCunn	C/O Perley Robertson et al 1400-340 Albert St., Constitution Square Ottawa ON K1R 0A5		74,197.55
TMX TSX Trust Company	301 - 100 Adelaide Street West Toronto ON M5H 4H1		6,220.94
Todd Korol	1164 Edgemont Road NW Calgary AB T3A 2J8		4,525.50
Torys LLP	TD South Tower 79 Wellington St. W, 30th Floor, Box 270 Toronto ON M5K 1N2	416-865-7380	256,666.98
William A. MacKinnon	15 Kingsgarden Rd., Toronto ON M8X 1S7		116,589.34

District of: Ontario
Division No. 12 - Ottawa
Court No.
Estate No.

- FORM 33 -
Notice of Intention To Make a Proposal
(Subsection 50.4(1) of the Act)

In the matter of the proposal of
Eureka 93 Inc.
of the City of Ottawa, in the Province of Ontario

Total			13,489,134.38
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Eureka 93 Inc.
Insolvent Person



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NOTICE OF INTENTION TO MAKE A PROPOSAL
(Section 50.4(1))

EUREKA 93 INC.
of the City of Ottawa,
in the Province of Ontario

CONSENT OF TRUSTEE TO ACT UNDER PROPOSAL

WE, DELOITTE RESTRUCTURING INC. ("Deloitte"), of the City of Toronto, in the Province of Ontario hereby consent to being appointed as Trustee under the Notice of Intention to Make a Proposal of Eureka 93 Inc.

Deloitte's consent is provided subject to the following conditions:

- a) no representative of Deloitte will cross the border into the United States for any reason with respect to these Proposal proceedings;
- b) in the event that the Company or any affiliate or subsidiaries seek protection in the United States either through a concurrent Chapter 11 filing pursuant to the United States Bankruptcy Code or a recognition of this proceeding under Chapter 15, Deloitte cannot act as the foreign representative; and
- c) Deloitte cannot act in any capacity with enhanced powers which include management or decision making capacities or taking possession and control of the operations of the Company or their subsidiaries, related companies, or affiliates in Canada, the United States, or elsewhere., including as an interim receiver or receiver, or monitor pursuant to the *Companies Creditors Arrangement Act*, should the Company subsequently file under that Act.

Dated at Toronto, Ontario this 14th day of February, 2020.

DELOITTE RESTRUCTURING INC.
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Toronto, Ontario M5H 0A9
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