

SUPERIOR COURT
(Commercial Division)

**CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL**

N°: 500-11-057679-199

DATE : October 23, 2020

PRESIDING: THE HONOURABLE MARIE-ANNE PAQUETTE, J.S.C.

**IN THE MATTER OF THE *COMPANIES CREDITORS ARRANGEMENT ACT*, R.S.C.
1985, C. C-36 OF:**

**FORTRESS GLOBAL ENTERPRISES INC.
FORTRESS SPECIALTY CELLULOSE INC.
FORTRESS BIOENERGY LTD.
FORTRESS XYLITOL INC.
9217-6536 QUÉBEC INC.**

Debtors

and

DELOITTE RESTRUCTURING INC.

Monitor

and

**INVESTISSEMENT QUÉBEC
FIERA PRIVATE DEBT INC.**

Secured Creditors

and

OLIN CANADA ULC

Creditor/PETITIONER

JUDGMENT

- [1] **CONSIDERING** paragraph 6 of the Claims Procedure Order rendered on January 10, 2020 and the March 16, 2020 “**Claims Bar Date**”;
- [2] **CONSIDERING** the Motion of the Petitioner, Olin Canada ULC, for leave to file a proof of claim in the present file after the Claims Bar Date;
- [3] **CONSIDERING** the Petitioner was not able to file its proof of claim on or before the Claims Bar Date for reasons out of its control and by inadvertence, the whole as outlined in the Petitioner’s Motion, as supported by the affidavit of Ms. Brenda Oprean, Senior Manager – Global Credit/Collections, for Olin Corporation (parent of the Petitioner) and the representations of counsel;
- [4] **CONSIDERING** the Petitioner has always acted in good faith;
- [5] **CONSIDERING** that permitting the Petitioner to file its proof of claim after March 16, 2020 will not cause prejudice to the creditors;
- [6] **CONSIDERING** the absence of a contestation, including that of the Monitor Deloitte Restructuring inc., to the demand of the Petitioner;
- [7] **CONSIDERING** it is in the interest of justice to grant the demand of the Petitioner;

FOR THESE REASONS, THE COURT:

- [8] **AUTHORIZES** the Petitioner to file the Proof of Claim in the present matter (Exhibit L-2);
- [9] **DECLARES** that, exceptionally for the Petitioner’s claim, the Claim Bar Date, as defined under the Claims Procedure Order will be 5 days after the present Order;
- [10] **THE WHOLE** without costs.

MARIE-ANNE PAQUETTE, J.S.C.