

JUL 04 2023

HALIFAX, N.S. 

2023

Hfx No. 521470

Supreme Court of Nova Scotia
In Bankruptcy and Insolvency

IN THE MATTER OF: THE RECEIVERSHIP OF MERIDIEN ATLANTIC FISHING LTD.,
ROCKY COAST SEAFOODS LTD. AND 9514228 CANADA INC.

Between:

THE TORONTO-DOMINION BANK

Applicant

and

**MERIDIEN ATLANTIC FISHING LTD.,
ROCKY COAST SEAFOODS LTD. and 9514228 CANADA INC.**

Respondents



ORDER

BEFORE THE HONOURABLE JUSTICE JOHN BODURTHA IN CHAMBERS:

WHEREAS Deloitte Restructuring Inc. (“**Deloitte**”) was appointed as Receiver of all of the assets, undertakings and properties of Meridien Atlantic Fishing Ltd., Rocky Coast Seafoods Ltd. and 9514228 Canada Inc. (the “**Companies**”) acquired for, or used in relation to a business carried on by the Companies, by Order dated March 9, 2023 and amended on April 14, 2023 (together, the “**Receivership Order**”);

AND WHEREAS the sale and investment solicitation process (the “**SISP**”) to be conducted by Deloitte to realize upon the assets of the Companies was approved by Order dated April 14, 2023;

AND WHEREAS Deloitte has filed a motion seeking an Order, amongst other relief:

- (a) abridging and validating the timelines pursuant to section 6 of the *Bankruptcy and Insolvency General Rules*, CRC, c 368 and Civil Procedure Rule 2.03;
- (b) amending the SISP as set out in the second report of the Receiver dated June 27, 2023 (the “**Second Report**”);

- (c) approving the increase of the Receiver's borrowing charge from \$250,000 to \$350,000; and
- (d) approving the activities of the Receiver to date.

NOW UPON reading the Second Report and the other materials on file herein;

AND UPON hearing from Sara L. Scott, solicitor for Deloitte, and Gavin MacDonald, solicitor for the Applicant, Toronto-Dominion Bank, and Tracy Smith, solicitor for the Companies;

IT IS HEREBY ORDERED THAT:

1. The time for service of the Notice of Motion and associated pleadings is hereby abridged and validated so that this Motion is properly returnable today and this Court hereby dispenses with further service thereof;
2. The proposed amendments to the SISP, as described in the Second Report and the materials filed with this motion, are approved;
3. The increase in the Receiver's borrowing charge from \$250,000 to \$350,000, as described at paragraph 26 of the Receivership Order, is approved; and
4. The actions of Deloitte in its capacity as Receiver of the assets, undertakings and properties of the Companies as set out in the Second Report of the Receiver are ratified and approved.

DATED at Halifax, Nova Scotia, this 4th day of July, 2023.




Deputy Prothonotary

SUSAN SNOW
Deputy Prothonotary

IN THE SUPREME COURT
COUNTY OF HALIFAX, N.S.
I hereby certify that the foregoing document,
identified by the seal of the court, is a true
copy of the original document on the file herein.

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Deputy Prothonotary

SUSAN SNOW
Deputy Prothonotary