

IN THE COURT OF KING'S BENCH OF NEW BRUNSWICK  
TRIAL DIVISION  
JUDICIAL DISTRICT OF SAINT JOHN

**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 OR  
ARRANGEMENT OF SOUTH SHORE SEAFOODS LTD.,  
CAPTAIN COOKE'S SEAFOOD INC., BY THE WATER  
SHELLFISH (2012) INC., CAN-AM LOBSTER &  
SHELLFISH LTD., SOUTH SHORE SEAFOODS  
INTERNATIONAL LTD., BRIDGE LOBSTERS LIMITED,  
ARSENAULT'S FISH MART INC. (each a "Company"  
and collectively the "Companies")**

**BETWEEN:**

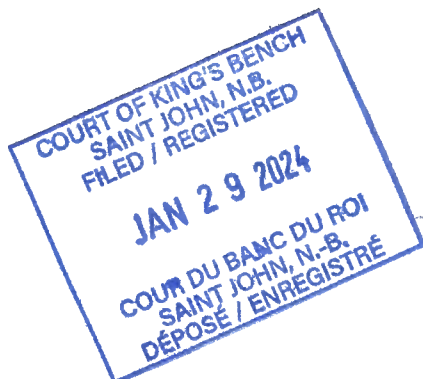
**THE TORONTO-DOMINION BANK**

**APPLICANT**

- and -

**SOUTH SHORE SEAFOODS LTD., CAPTAIN COOKE'S  
SEAFOOD INC., BY THE WATER SHELLFISH (2012)  
INC., CAN-AM LOBSTER & SHELLFISH LTD., SOUTH  
SHORE SEAFOODS INTERNATIONAL LTD., BRIDGE  
LOBSTERS LIMITED, ARSENAULT'S FISH MART INC.**

**RESPONDENTS**



**PRIORITY CLAIMS ORDER**

**THIS MOTION**, made by Deloitte Restructuring Inc., in its capacity as the court-appointed Monitor (the "**Monitor**") of South Shore Seafoods Ltd. ("**South Shore**"), Captain Cooke's Seafood Inc., ("**Captain Cooke's**"), By the Water Shellfish (2012) Inc. ("**By the Water**"), Can-Am Lobster & Shellfish Ltd. ("**Can-Am**"), South Shore Seafoods International Ltd ("**South Shore International**"), Bridge Lobsters Limited ("**Bridge**") and Arsenault's Fish Mart Inc. ("**Arsenault**" and collectively, the "**Debtors**"), for an order establishing a priority claims procedure to identify, quantify and resolve any Priority Claims (as that term is defined below), was heard on the 29<sup>th</sup> day of January, 2024.

**UPON** reading the sixth report of the Monitor dated January 24, 2024 (the "**Sixth Report**"),

**AND UPON** hearing the submissions of counsel for the Applicant, the Monitor, and those other parties present, and no one appearing on the Service List, although duly served as appears from the Affidavit of Service of Simon-Pierre Godbout dated January 25, 2024 and the Affidavit of Service of Janice Barrieau dated January 25, 2024.

**AND UPON** reading the material as filed by counsel,

**IT IS ORDERED AS FOLLOWS:**

**SERVICE**

1. The service of the Notice of Motion, Record on Motion and the Sixth Report, as set out in the Affidavit of Service is deemed adequate so that this Motion is property returnable today and further service thereof is hereby dispensed with.

**DEFINITIONS**

2. For purposes of this Priority Claims Order, any capitalized terms not otherwise defined herein shall have the meanings attributed to them in the Sixth Report, and the following terms shall have the following meanings:

- (a) "**Barred Priority Claims**" has the meaning ascribed to it in paragraph 6 of this Priority Claims Order;
- (b) "**Business Day**" means a day, other than a Saturday, Sunday or a statutory holiday, on which banks are generally open for business in Saint John, New Brunswick;
- (c) "**BDC Priority Loans**" means the priority obligations of one or more of the Debtors pursuant to: (i) a letter offer dated as of July 3, 2020 by BDC to South Shore in the maximum principal amount of \$2 million; and (ii) a letter offer dated December 18, 2020 by BDC to Captain Cooke's and By the Water, as borrowers, and Can-Am, Bridge, South Shore and South Shore International, as guarantors, in the maximum principal amount of \$1 million; and (iii) a mortgage loan arrangement based on a term sheet dated as of April 21, 2022 given by BDC to Captain Cooke's and By the Water in the maximum principal amount of \$863,300;

- (d) **"BDC Priority Collateral"** means the collateral secured by the BDC Priority Loans;
- (e) **"Court"** means the Court of the King's Bench of New Brunswick, Trial Division, Judicial District of Saint John;
- (f) **"Disputed Priority Claim"** means any asserted Priority Claim, or portion thereof, which the Monitor disputes pursuant to a Notice of Dispute delivered pursuant to paragraph 8 of this Priority Claims Order;
- (g) **"Excluded Claims"** means (a) any claim secured by a charge under the Initial Order; (b) any claim by BDC of the BDC Priority Loans in respect of the BDC Priority Collateral; and (c) any claim by the Private Lenders in respect of the Private Lenders Priority Collateral;
- (h) **"Initial CCAA Order"** means the Initial Order of the Honourable Justice Stephenson dated September 21, 2023, and as amended and restated on October 25, 2023 and as the same may be further amended and/or restated;
- (i) **"Newspaper Notice"** means the notice to Priority Claimants for publication substantially in the form attached as Schedule "A" hereto;
- (j) **"Notice Letter"** means the notice substantially in the form attached as Schedule "B" hereto;
- (k) **"Notice of Dispute"** means a notice substantially in the form attached as Schedule "D" hereto;
- (l) **"Person"** means any individual, partnership, limited partnership, firm, joint venture, trust, entity, corporation, limited or unlimited liability company, unincorporated organization, trade union, pension plan administrator, pension plan regulator, governmental authority or agency, employee or other association, or similar entity, howsoever designated or constituted and wherever located;
- (m) **"Priority Claim"** means any indebtedness, liability, obligation or claim of any kind whatsoever against the Purchased Assets that ranks in priority to the Senior Secured Obligations, but excluding the Excluded Claims;
- (n) **"Priority Claimant"** means any Person asserting a Priority Claim;

- (o) **"Priority Claims Bar Date"** means 5:00 p.m. (Atlantic time) on April 1, 2024;
- (p) **"Priority Claims Procedure"** means the procedures outlined in this Priority Claims Order in connection with the identification, quantification and resolution of Priority Claims, as may be amended or supplemented by further order of the Court;
- (q) **"Private Lenders"** means Thunder Cove Investments Inc. and Maplewood Trust, by its trustee Warren Ellis
- (r) **"Private Lenders Priority Collateral"** means collateral secured by the Private lenders in respect of a mortgage loan in the amount of \$375,000.
- (s) **"Proof of Claim"** means a proof of claim form in substantially the form attached hereto as Schedule "C", and which when filed by any Priority Claimant in connection with a Priority Claim shall include all supporting documentation in respect of such Priority Claim;
- (t) **"Purchased Assets"** has the meaning ascribed to it in the APA;
- (u) **"Senior Secured Obligations"** means all indebtedness, liabilities and obligations owing by the Debtors to The Toronto-Dominion Bank pursuant to a Credit Agreement dated as of May 19, 2022 and as amended by i) a first amendment to credit agreement dated as of June 29, 2022, ii) a second amendment to credit agreement dated as of April 12, 2023, iii) a forbearance and third amendment to credit agreement dated as of May 2, 2023, as amended by a first amendment to forbearance agreement and third amendment to credit agreement dated as of June 2, 2023, and a second amendment to forbearance agreement and third amendment to credit agreement dated as of August 31, 2023, and iv) a second forbearance and fourth amendment to credit agreement dated as of September 18, 2023; and

#### **NOTICE OF PRIORITY CLAIMS BAR DATE**

3. **THIS COURT ORDERS** that the Monitor shall provide notice of this Priority Claims Order and the Priority Claims Bar Date by:

*RAS*

- (a) Delivering within five (5) Business Days by email or, where no known email is available, prepaid ordinary mail a Proof of Claim form and Notice Letter to all Persons that: (i) is a known potential Priority Claimant listed in the books and records of the Debtors; or (ii) registered an interest against the Debtors under the *Personal Property Security Act*;
- (b) Causing the Newspaper Notice (or condensed version thereof, as the Monitor may deem appropriate) to be published for one (1) Business Day in the Chronicle Herald, Saltwire/Telegraph and the Guardian as soon as practicable after the date of this Priority Claims Order; and
- (c) Posting within three (3) Business Days the Notice Letter on the Monitor's case website: <https://www.insolvencies.deloitte.ca/SouthShoreSeafoods>.

4. **THIS COURT ORDERS** that the Monitor shall, provided such request is received prior to the Priority Claims Bar Date, deliver as soon as practically possible following receipt of a request therefor, a copy of the Proof of Claim to any Person claiming to be a Priority Claimant and requesting such Proof of Claim.

#### **PRIORITY CLAIMS BAR DATE**

5. **THIS COURT ORDERS** that any Person asserting a Priority Claim shall deliver to the Monitor by the Priority Claims Bar Date a completed Proof of Claim which shall provide for such information and supporting documentation as is necessary to establish such Priority Claim, including: (i) detailed accounting supporting the quantum of the asserted Priority Claim, and (ii) the basis and the supporting documents or agreements on which the asserted Priority Claim may rank in priority to the Senior Secured Obligations. For greater certainty, no Person asserting a Priority Claim shall be entitled to submit a placeholder claim or provide for any reservation of rights to add or amend a Proof of Claim at a later date except as specifically provided for herein.

6. **THIS COURT ORDERS** that any Person that does not file a Proof of Claim in accordance with this Priority Claims Order so that such Proof of Claim is received by the Monitor by the Priority Claims Bar Date shall be forever barred, estopped and enjoined from asserting or enforcing a Priority Claim against the Purchased Assets, the Debtors or the Purchaser ("**Barred Priority Claims**"), and any and all such Barred Priority Claims shall be forever and

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irrevocably barred, extinguished and discharged as against the Purchased Assets, the Debtors and the Purchaser, without any further act or notification.

#### **PRIORITY CLAIMS PROCESS**

7. **THIS COURT ORDERS** that the Monitor shall review all Proofs of Claim and shall accept, settle, or dispute the amount and priority of each asserted Priority Claim set out therein for the purpose of distribution, if any. At any time, the Monitor may request additional information with respect to any asserted Priority Claim, and may request that the Priority Claimant file a revised Proof of Claim. The Monitor shall consult with the CRO prior to accepting, settling or disputing any Priority Claim.

8. **THIS COURT ORDERS** that if the Monitor is unable to resolve any asserted Priority Claim within a time period or in a manner satisfactory to the Monitor and wishes to dispute such asserted Priority Claim, the Monitor shall deliver a Notice of Dispute to the applicable Priority Claimant.

9. **THIS COURT ORDERS** that the Monitor may at any time refer any Disputed Priority Claim or a portion thereof to the Court, such alternative dispute resolution or other court of competent jurisdiction as may be ordered by the Court or agreed to by the Monitor and the applicable Priority Claimant. The Court, other court of competent jurisdiction or the Person or Persons conducting the alternative dispute resolution proceeding, as the case may be, shall resolve the dispute.

#### **NOTICE AND SERVICE**

10. **THIS COURT ORDERS** that the Monitor may, unless otherwise specified by this Priority Claims Order, serve and deliver or cause to be served and delivered any letters, notices or other documents to Priority Claimants or any other interested Person by forwarding copies by ordinary mail, courier, personal delivery or email to such Persons or their counsel (including counsel of record in any ongoing litigation) at the physical or electronic address, as applicable, last shown on the books and records of the Debtors or set out in such Priority Claimant's Proof of Claim. Any such service and delivery shall be deemed to have been received: (a) if sent by ordinary mail, on the third Business Day after mailing within Atlantic Canada, the fifth (5<sup>th</sup>) Business Day after mailing within Canada (other than within Atlantic Canada) and tenth Business Day after mailing internationally; (b) if sent by courier or personal delivery, on the next

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Business Day following dispatch; and (c) if delivered by email by 5:00 p.m. on a Business Day, on such Business Day, and if delivered after 5:00 p.m. or other than on a Business Day, on the following Business Day.

11. **THIS COURT ORDERS** that any notice or other communication to be given under this Priority Claims Order to the Monitor shall be in writing in substantially the form, if any, provided for in this Priority Claims Order and will be sufficiently given only if delivered by courier, by personal delivery or email addressed to:

Deloitte Restructuring Inc., in its capacity as the Court-appointed Monitor of the Debtors  
1741 Lower Water St.  
Suite 800  
Halifax, NS B3J 0J2

Attention: James Foran / Kurt Macleod  
Email: [southshoreseafoods@deloitte.ca](mailto:southshoreseafoods@deloitte.ca)  
Telephone: 902-802-2789 / 902-721-5602

with a copy to:

Cox & Palmer  
Nova Centre – South Tower  
1500-1625 Grafton Street  
Halifax, NS B3J 0E8

Attention: Gavin MacDonald / Simon-Pierre Godbout  
Email: [GmacDonald@coxandpalmer.com](mailto:GmacDonald@coxandpalmer.com) / [spgodbout@coxandpalmer.com](mailto:spgodbout@coxandpalmer.com)  
Telephone: 902-421-6262

#### **MONITOR PROTECTIONS**

12. **THIS COURT ORDERS** that, in carrying out the terms of this Priority Claims Order, the Monitor (a) shall have all the protections afforded to it by the CCAA, this Priority Claims Order, the Initial CCAA Order, and any other orders of the Court in these CCAA proceedings, or as an officer of the Court, including the stay of proceedings in its favour pursuant to the Initial CCAA Order; (b) shall incur no liability or obligation as a result of carrying out the provisions of this Priority Claims Order, including in respect of its exercise of discretion as to the completion, execution or time of delivery of any documents to be delivered hereunder, other than in respect of gross negligence or wilful misconduct; (c) shall be entitled to rely on the books and records



of the Debtors and any information provided by or on behalf of the Debtors or otherwise obtained by the Monitor, all without independent inquiry or investigation; (d) shall not be liable for any claims or damages resulting from any errors or omissions in such books, records or information; € shall be authorized and empowered to assist any Priority Claimant in the filing of a Proof of Claim; and (f) may seek such assistance as may be reasonably required to carry out its duties and obligations pursuant to this Priority Claims Order from the Debtors or any of their affiliates, including making such inquiries and obtaining such records and information as it deems appropriate in connection with the Priority Claims Procedure. Nothing in this Priority Claims Order shall derogate from the protections afforded to the Monitor by the CCAA, any other federal or provincial applicable law or the Initial CCAA Order. The Monitor shall have no obligation to make any payment under this Priority Claims Order unless the Monitor is holding a reserve, as applicable, adequate to effect any such payment.

#### **GENERAL**

13. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States or any other jurisdiction to give effect to this Priority Claims Order and to assist the Applicant, the Monitor and their respective agents in carrying out the terms of this Priority Claims Order, including the U.S. Bankruptcy Court. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicant and the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Priority Claims Order or to assist the Applicant, the Monitor and their respective agents in carrying out the terms of this Priority Claims Order.

14. **THIS COURT ORDERS** that the Monitor, the Applicant, or any Priority Claimant may seek directions from this Court with respect to this Priority Claims Order on not less than seven (7) days' notice to the other parties or upon such other notice, if any, as this Court may order.

DATED at Saint John, New Brunswick, this 24<sup>th</sup> day of January, 2024.

  
\_\_\_\_\_  
Justice of the Court of King's Bench  
of New Brunswick



### Schedule "A" – Newspaper Notice

NOTICE TO CREDITORS OF South Shore Seafoods Ltd., Captain Cooke's Seafood Inc., By the Water Shellfish (2012) Inc., Can-Am Lobster & Shellfish Ltd., South Shore Seafoods International Ltd., Bridge Lobsters Limited, Arsenault's Fish Mart Inc. (collectively, the "**Debtors**").

NOTICE IS HEREBY GIVEN THAT, pursuant to an order of the Court of the King's Bench of New Brunswick, Trial Division, Judicial District of Saint John granted January 29, 2024 (the "**Priority Claims Order**"), any person who believes that they have a **PRIORITY CLAIM** against the Debtors must send a Proof of Claim to the Monitor to be received by 5:00 p.m. (Atlantic time) on April 1, 2024 (the "**Priority Claims Bar Date**"). All capitalized terms not defined herein have the meanings ascribed to them in the Priority Claims Order.

PROOFS OF CLAIM WHICH ARE NOT RECEIVED BY THE PRIORITY CLAIMS BAR DATE WILL BE FOREVER EXTINGUISHED AND SUCH PRIORITY CLAIMANTS WILL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM ASSERTING OR ENFORCING A PRIORITY CLAIM AGAINST THE PURCHASED ASSETS, THE DEBTORS OR THE PURCHASER.

PLEASE NOTE THAT ANY PERSON WITH A **SECURED CLAIM** OR **UNSECURED CLAIM** IS NOT REQUIRED TO SUBMIT A PROOF OF CLAIM IN THIS PROCESS IN RESPECT OF SUCH SECURED CLAIM OR UNSECURED CLAIM AT THIS TIME. **ANY SECURED CLAIMS OR UNSECURED CLAIMS RECEIVED BY THE APPLICANTS AND THE MONITOR WILL NOT BE ACCEPTED, SETTLED OR DISPUTED, NOR WILL THEY BE FOREVER BARRED, EXTINGUISHED OR DISCHARGED.**

Further details regarding the Debtors, a copy of the Priority Claims Order and the Proof of Claim form can be obtained from the Monitor's website at <https://www.insolvencies.deloitte.ca/SouthShoreSeafoods>.

For questions, please contact the Monitor at:

Deloitte Restructuring Inc., in its capacity as the Court-appointed Monitor of the Debtors  
1741 Lower Water St.  
Suite 800  
Halifax, NS B3J 0J2

Attention: James Foran / Kurt Macleod  
Email: [southshoreseafoods@deloitte.ca](mailto:southshoreseafoods@deloitte.ca)  
Telephone: 902-802-2789 / 902-721-5602

**Schedule "B" – Notice Letter**

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**NOTICE LETTER**

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**RE: NOTICE OF PRIORITY CLAIMS PROCEDURE & PRIORITY CLAIMS BAR DATE**

This notice is being published pursuant to an the Court of the King's Bench of New Brunswick, Trial Division, Judicial District of Saint John dated January 29, 2024 (the "**Priority Claims Order**"), in the proceedings respecting South Shore Seafoods Ltd., Captain Cooke's Seafood Inc., By the Water Shellfish (2012) Inc., Can-Am Lobster & Shellfish Ltd., South Shore Seafoods International Ltd., Bridge Lobsters Limited, Arsenault's Fish Mart Inc. (collectively, the "**Debtors**") under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended.

Pursuant to the Initial Order dated September 21, 2023, Deloitte Restructuring Inc. was appointed as monitor in these CCAA proceedings (in such capacity, the "**Monitor**"), and pursuant to the Priority Claims Order is authorized to conduct a priority claims procedure (the "**Priority Claims Procedure**") with respect to any indebtedness, liability, obligation or claim of any kind whatsoever against the Purchased Assets that ranks in priority to the Senior Secured Obligations but excluding any indebtedness, liability, obligation or claim secured by a court ordered charge pursuant to the Initial CCAA Order or any other Order within these CCAA proceedings (the "**Priority Claims**"). Additionally, the Monitor is required to send Proofs of Claim and Notice Letters to, among others, potential Priority Claimants. All capitalized terms not defined herein shall have the meanings ascribed to them in the Priority Claims Order.

The Priority Claims Order, the Proof of Claim, and related materials may be accessed from the Monitor's Website at <https://www.insolvencies.deloitte.ca/SouthShoreSeafoods>.

**I. SUBMISSION OF A PROOF OF CLAIM**

All persons wishing to assert a Priority Claim **MUST** file a Proof of Claim with the Monitor.

**Secured claims and unsecured claims are not being called for in this Priority Claims Procedure. Such claims will not be reviewed, considered or addressed in this Priority Claims Procedure.**

**The priority claims bar date is 5:00 p.m. (Atlantic Time) on April 1, 2024** (the "**Priority Claims Bar Date**"). Proofs of Claim in respect of Priority Claims must be completed and filed with the Monitor on or before the Priority Claims Bar Date.

**PROOFS OF CLAIM MUST BE ACTUALLY RECEIVED BY THE MONITOR BY THE PRIORITY CLAIMS BAR DATE OR THE PRIORITY CLAIM WILL BE FOREVER AND IRREVOCABLY BARRED, EXTINGUISHED AND DISCHARGED.** If you are required to file a Proof of Claim pursuant to the Priority Claims Procedure but do not file a Proof of Claim in respect of a Priority Claim by the Priority Claims Bar Date you shall not be entitled to any distribution in respect of such Priority Claims.

## II. MONITOR CONTACT INFORMATION

The Monitor can be contacted at the following address for any enquiries with respect to the Priority Claims Procedure:

Deloitte Restructuring Inc., in its capacity as the Court-appointed Monitor of the Debtors  
1741 Lower Water St.  
Suite 800  
Halifax, NS B3J 0J2

Attention: James Foran / Kurt Macleod  
Email: [southshoreseafoods@deloitte.ca](mailto:southshoreseafoods@deloitte.ca)  
Telephone: 902-802-2789 / 902-721-5602

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**Schedule "C" – Proof of Claim**

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**PROOF OF CLAIM**

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All capitalized terms not defined herein have the meanings ascribed to them in the Priority Claims Order dated January 29, 2024 in the proceedings of South Shore Seafoods Ltd., Captain Cooke's Seafood Inc., By the Water Shellfish (2012) Inc., Can-Am Lobster & Shellfish Ltd., South Shore Seafoods International Ltd., Bridge Lobsters Limited, Arsenault's Fish Mart Inc., under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended.

**I. PARTICULARS OF PRIORITY CLAIMANT:**

1. Full Legal Name of Priority Claimant: \_\_\_\_\_ (the "Priority Claimant")

2. Full Mailing Address of the Priority Claimant:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Telephone Number: \_\_\_\_\_

4. E-Mail Address: \_\_\_\_\_

5. Attention (Contact Person): \_\_\_\_\_

6. Have you acquired this Priority Claim by assignment?  
Yes:  No:  (if yes, attach documents evidencing assignment)

If Yes, Full Legal Name of Original Priority Claimant(s):

**II. PROOF OF CLAIM:**

1. I, \_\_\_\_\_  
(name of Priority Claimant if Priority Claimant is an individual or representative of the Priority Claimant if Priority Claimant is not an individual), of \_\_\_\_\_

\_\_\_\_\_ do hereby certify:  
(city and province)

(a) that I [check (✓) one]  
 am the Priority Claimant; OR

*fas*

am \_\_\_\_\_ (state position or title) of  
\_\_\_\_\_  
(name of Priority Claimant)

- (b) that I have knowledge of all the circumstances connected with the Priority Claim referred to below;
- (c) that complete documentation in support of the Priority Claim referred to below is attached;
- (d) the Priority Claimant has a Priority Claim as follows:
  - a. TOTAL PRIORITY CLAIM: CDN\$ \_\_\_\_\_

Note: This should only include Priority Claims. Secured claims and unsecured claims will not be considered or addressed in this Priority Claims Procedure and should not be included here.

**III. EVIDENCE OF PRIORITY:**

- 1. In order to file your Proof of Claim, evidence of the priority or a basis for making a Priority Claim are required. Attach any supporting documents to the Proof of Claim.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. PARTICULARS OF PRIORITY CLAIM**

Other than as already set out herein, the particulars of the undersigned's total Priority Claim are attached.

*(Provide full particulars of the Priority Claim and supporting documentation, including detailed accounting of the amount, description of transaction(s) or agreement(s) giving rise to the Priority Claim, and date and number of all invoices, particulars of all credits, discounts, etc. claimed.)*

**V. FILING OF PRIORITY CLAIM**

This Proof of Claim **MUST** be actually received by the Applicants and the Monitor **before 5:00 p.m. (Atlantic time) on April 1, 2024** (the "Priority Claims Bar Date").

Completed forms must be delivered by courier, personal delivery or email addressed to:

If to the Monitor:

Deloitte Restructuring Inc., in its capacity as the Court-appointed Monitor of the Debtors  
1741 Lower Water St.  
Suite 800  
Halifax, NS B3J 0J2

Attention: James Foran / Kurt Macleod

*705*

Email: [southshoreseafoods@deloitte.ca](mailto:southshoreseafoods@deloitte.ca)  
Telephone: 902-802-2789 / 902-721-5602

with a copy to:

Cox & Palmer  
Nova Centre – South Tower  
1500-1625 Grafton Street  
Halifax, NS B3J 0E8

Attention: Gavin MacDonald / Simon-Pierre Godbout  
Email: [GMacDonald@coxandpalmer.com](mailto:GMacDonald@coxandpalmer.com) / [spgodbout@coxandpalmer.com](mailto:spgodbout@coxandpalmer.com)  
Telephone: 902-421-6262

**FAILURE TO FILE YOUR PROOF OF CLAIM SUCH THAT IT IS ACTUALLY RECEIVED BY THE MONITOR BY THE PRIORITY CLAIMS BAR DATE WILL RESULT IN YOUR PRIORITY CLAIM BEING FOREVER AND IRREVOCABLY BARRED, EXTINGUISHED AND DISCHARGED AND IN YOU BEING PREVENTED FROM MAKING OR ENFORCING A PRIORITY CLAIM AGAINST THE PURCHASED ASSETS, THE DEBTORS OR THE PURCHASER.**

**Certification**

I hereby certify that:

1. I am the Priority Claimant or an authorized representative of the Priority Claimant.
2. I have knowledge of all the circumstances connected with this Priority Claim.
3. I agree with the supporting documentation attached (if any).

All information submitted in this Proof of Claim form must be true, accurate and complete. Filing false or misleading information relating to your Proof of Claim may result in penalties.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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Schedule "D" – Notice of Dispute

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**NOTICE OF DISPUTE**

**IN RESPECT OF ASSERTED PRIORITY CLAIMS AGAINST SOUTH SHORE SEAFOODS LTD., CAPTAIN COOKE'S SEAFOOD INC., BY THE WATER SHELLFISH (2012) INC., CAN-AM LOBSTER & SHELLFISH LTD., SOUTH SHORE SEAFOODS INTERNATIONAL LTD., BRIDGE LOBSTERS LIMITED, ARSENAULT'S FISH MART INC.,**

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TO: [Priority Claimant Address]

Priority Claims Reference Number: \_\_\_\_\_

The Monitor hereby disagrees with the quantum, validity and/or priority of the asserted Priority Claim as set out in the Proof of Claim. The Monitor disputes the asserted Priority Claim for the following reasons, among others

KB

