

Supreme Court of Nova Scotia

Application by Victory Farms Incorporated and Jonathan Mullen Mink Ranch Limited (the “Applicants”) for relief under the *Companies’ Creditors Arrangement Act*

Order Correcting Clerical Mistake in 2nd Charging Order**Before the Honourable Justice Glen G. McDougall in chambers:**

The Applicants applied for relief under the *Companies’ Creditors Arrangement Act* including an initial order, which has been granted, and further orders on further motions;

The initial order was granted on the 31st day of August, 2016 (the “Initial Order”), a Charging Order (“the Initial Charging Order”) was granted on September 27, 2017, a 2nd Charging Order on February 16, 2017, and the Applicants now move for an order pursuant to Civil Procedure Rule 78.08(a) correcting a clerical mistake in the 2nd Charging order;

On motion of the Applicants the following is ordered and declared:

Service

1. The service of notice of motion and the supporting documents as set out in the Affidavit of Service is deemed adequate so that motion is properly returnable today and further service thereof is hereby dispensed with.

Interpretation

2. All capitalized words used in this Order that are not otherwise defined in this Order have the meanings ascribed to them in the Initial Order.

DIP Financing and Charge

3. The paragraph 3(a) of the 2nd Charging Order is corrected so that increase in the allowed borrowings is from \$1,500,000 to \$3,000,000;
4. In all other respects the provisions of the 2nd Charging Order are confirmed.

Service and Notice

5. The Applicants and the Monitor shall serve a copy of this Order on all secured creditors of the Applicants and shall be at liberty to serve this Order on such other Persons as it determines is appropriate. All such service shall be made in accordance with the provisions of the Initial Order.

General

6. The aid and recognition of any court, tribunal, or regulatory or administrative body having jurisdiction outside Nova Scotia is hereby requested to give effect to this Order and to assist the Applicants, the Monitor, and their respective agents in carrying out the terms of this Order. All courts, tribunals, or regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicants and the Monitor and their respective agents in carrying out the terms of this Order.
7. Each of the Applicants and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order.

Issued April 7, 2017

Prothonotary