

AUG 11 2017

Halifax, N.S.

2016

Hfx. No. 454744

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

NOTICE OF MOTION

To: The Service List (attached as Schedule "A")

Motion:

Deloitte Restructuring Inc., in its capacity as Monitor of Victory Farms Inc. and Jonathan Mullen Mink Farm Limited (the "Monitor") moves for an Order:

- (a) validating service of this Notice of Motion and the supporting Ninth Report of the Monitor;
- (b) in accordance with paragraph 7 of the Sale Approval and Vesting Order in these proceedings dated April 10, 2017, authorizing the interim distribution to certain of the Designated Creditors (as defined in the Claims Procedure Order of April 10, 2017) of \$1,148,755 out of funds held by the Monitor to the Designated Creditors of the Applicants, in accordance with the distribution table contained within the Ninth Report of the Monitor;
- (c) approving the payment by Victory Farms Inc. to Royal Bank of Canada ("RBC") of \$8,000 from cash on hand, in full and final settlement of a set-off claim asserted by RBC;
- (d) approving the Reports, activities and conduct of the Monitor to date, and
- (e) providing such further and other relief as counsel may seek and this Honourable Court deems just and equitable.

Time and Place:

The Motion is to be heard by a Judge on **Friday August 18, 2017, at 11:00 a.m.** at The Law Courts, 1815 Upper Water Street, Halifax Nova Scotia, B3J 1S7. The Monitor has set the Motion for hearing in one half hour in Chambers. The Monitor says that the Motion will not require more time.

References:

The Monitor relies on the following legislation, Rules or points of law: the Companies' Creditors Arrangement Act, and in particular the duties of a Monitor thereunder, found at Section 23.

Evidence:

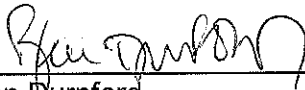
The evidence in support of the Motion is as follows: Affidavit of Chris Lirette and the Ninth Report of the Monitor (to be filed separately, shortly after this Notice of Motion)

Possible Order Against You:

You may file an Affidavit and a Brief, attend the hearing of the Motion, and state your position on whether the proposed Order should be made. If you do not attend, the judge may grant an Order without further notice to you.

Signature:

Signed August 11th, 2017.



Ben Durnford,
Solicitor for the Monitor,
Deloitte Restructuring Inc.

Schedule "A"

SERVICE LIST

Workers' Compensation Board of Nova Scotia

P.O. BOX 1150
5668 SOUTH ST
Halifax NS B3J 2Y2
Canada

Fax #: 902-491-8325

Attn: Marg Organ, Senior Collections Officer

American Legend Cooperative

200 S.W. 34th Street
Renton WA 98055, USA

Counsel:

Maurice Chiasson, QC,
Stewart McKelvey
Suite 900
Purdy's Wharf Tower One
1959 Upper Water Street
Halifax, NS, Canada
B3J 3N2

Email: mchiasson@stewartmckelvey.com

Nova Scotia Farm Loan Board

MacRae Library Building
Floor 1st Suite 1
137 College Road
Truro NS B2N 5E3

Attn: Karen Tulkins

Email: karentulkensenovascotia.ca

John Murray

Email: John.E.Murray@novascotia.ca

Farm Credit Canada

1133 St. George BOUL
Moncton NB E1E4E1
Canada

Counsel

Josh J.B. McElman
Cox & Palmer
Brunswick Square, Suite 1500
1 Germain Street
Saint John, NB E2L 4V1

Phone 506 633 2708

Fax 506 632 8809

Email: jmcelman@coxandpalmer.com

Gavin D. F. MacDonald
Cox & Palmer
Purdy's Wharf, Tower I
1100-1959 Upper Water Street
Halifax, NS B3J 3N2

Phone: 902 491 4464

Fax: 902 421 3130

Email: gmacdonald@coxandpalmer.com

The Bank of Nova Scotia - Atlantic CAU
1465 Brenton Street, 4th Floor
Halifax NS B3J 3T4
Canada

CNH Industrial Capital Canada Ltd.
4475 North Service Road
Burlington ON L7L 4X7
Canada

Counsel

Tipper McEwan and Colin Piercey
Stewart McKelvey
Suite 900
Purdy's Wharf Tower One
1959 Upper Water Street
Halifax, NS, Canada
B3J 3N2 902.444.1743

Email: tmcewan@stewartmckelvey.com
cpiercey@stewartmckelvey.com

North American Fur Auctions Inc.

65 Skyway Avenue
Toronto ON M9W 6C7
Canada

Fax #: 416-213-2162

Attn: Douglas Lawson
Senior Vice President
Email: dlawson@nafa.ca

Counsel

Brian Stilwell
Email: Bstilwell@BurchellMacDougall.com

Deloitte Restructuring Inc

1969 Upper Water Street
Suite 1500, Halifax, NS, Canada B31 3R7

Attn: James Foran
Kurt Macleod

Email: jforan@deloitte.ca
kmacleod@deloitte.ca

Counsel

McInnes Cooper
1969 Upper Water Street
Suite 1300
Purdy's Wharf Tower II Halifax, NS, B3J 2V1
Fax #: 902 425 6350

Attn: Ben R. Durnford
John Stringer, Q.C.

Email: ben.durnford@mcinnescooper.com
john.stringer@mcinnescooper.com