

Court File Number: CV-19-615862-00CL

Superior Court of Justice CV-19-616077-00CL  
Commercial List CV-19-616779-00CL

**FILE/DIRECTION/ORDER**

Re: CPAA of JTI-MacDonald/Imperial/RBH  
Plaintiff(s)

AND

Defendant(s)

Case Management  Yes  No by Judge: McEwen J

Counsel	Telephone No:	Facsimile No:
<u>(see attached)</u>		

- Order  Direction for Registrar (No formal order need be taken out)  
 Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- Adjourned to: \_\_\_\_\_  
 Time Table approved (as follows):

The motions to extend the stay periods in all three proceedings up to and including September 30, 2021 were heard on March 30, 2021. On that day I granted the extensions requested. With one exception, which will be discussed, the extensions sought are either unopposed or on the consent

6 April 21  
Date

McEwen J  
Judge's Signature

Additional Pages three

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of all stakeholders

The Monitors also support the stay extensions.

The submissions and filed materials demonstrate that the mediation is progressing well.

The Applicants all have sufficient liquidity.

Overall, it is sensible to allow the mediation process to continue.

The one exception involves The Ontario Five-Cured Tobacco Growers' Marketing Board (the "Growers"). The Growers seek to lift the stays only as against them.

As I indicated at the hearing I decline to do so at this time.

The Growers have not filed any motion materials to support



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their position. They rely instead on a six page written submission which is inadequate. A proper motion record including evidence, is required.

If the Growers plan to seek an order lifting the stays against them they will have to deliver their motion materials.

Upon review, I will determine whether the motion will be heard, and if so set a timetable for responding materials.

In the interim I urge the Growers to engage in the mediation process.

