



**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

COUNSEL SLIP / ENDORSEMENT

COURT FILE
NO.:

BK-24-03051650-0031

DATE: April 26, 2024

NO. ON LIST: 1

TITLE OF
PROCEEDING:

ORGANIC GARAGE (CANADA) LTD. *et al*

BEFORE: Justice Osborne

PARTICIPANT INFORMATION

For Applicant:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|---|--|
| Monica Faheim | Counsel for Organic Garage (Canada) Ltd., 2412383 Ontario Inc., 2347018 Ontario Inc., 2507158 Ontario Inc., 2581751 Ontario Inc., | mfaheim@millertomson.com |

For Respondents / Other(s):

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|---------------------------------------|--|
| Adrienne Ho | Counsel for Proposal Trustee, KPMG | aho@airdberlis.com |
| Miranda Spence | | mspence@airdberlis.com |
| Harvey Ash | Counsel for Ping Hay Szeto | harveyash@yorklegal.ca |
| R. Graham Phoenix | Counsel to Prospective Purchaser | gphoenix@ln.law |

ENDORSEMENT OF JUSTICE OSBORNE:

1. The Companies seek an order extending the time to file a proposal with the Official Receiver to May 17, 2024. They rely upon the Affidavit of Matt Lurie sworn April 19, 2024 and the Second Report of the Proposal Trustee.
2. The Proposal Trustee supports the extension and no party opposes the relief sought.
3. I am satisfied that the Companies have acted and continue to act in good faith and with due diligence. The additional time will allow the Companies to see court approval in respect of what will hopefully be a successful bid received in the Sale Process, for which an approval motion is scheduled for May 2, 2024, and to complete the transactions thereafter.
4. The cash flow forecast appended to the Second Report reflects that there will be sufficient funds to operate for the requested extension period.
5. Order to go in the form signed by me today which is effective immediately and without the necessity of issuing and entering.

Osborne, J.