

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE QUÉBEC
DIVISION: 01 - MONTRÉAL
C.S.: 500-11-042856-126
SURIN.: 41-1635185

COUR SUPÉRIEURE
CHAMBRE COMMERCIALE

DANS L'AFFAIRE DE LA PROPOSITION DE :

LINDOR INC., corps politique légalement constitué selon la Loi, ayant son siège social et sa principale place d'affaires au 9600 rue Meilleur, bureau 750, en la ville de Montréal, province de Québec H2N 2E3.

Compagnie débitrice

- ET -

KPMG INC.

Syndic

AVIS AUX CRÉANCIERS D'UNE PROROGATION DE DÉLAI
(Article 50.4(9))

AVIS est par les présentes donné que LINDOR INC. de Montréal, dans la Province de Québec, a déposé une requête en prorogation de délai en vertu de l'article 50.4 paragraphe 9 de la *Loi sur la faillite et l'insolvabilité* le 9^e jour de juillet 2012. Ladite requête a été accordée par Me Pierre Pellerin, registraire, et par le fait même prolonge le délai pour déposer la proposition concordataire pour une période additionnelle de 45 jours, soit jusqu'au 23 août 2012.

Daté à Montréal, ce 10^e jour de juillet 2012

KPMG INC.
Syndic
Dev A. Coossa, CIRP
Administrateur désigné
600, boul. de Maisonneuve Ouest
Bureau 1500
Montréal, QC H3A 0A3

(514) 840-2100

CANADA
PROVINCE OF QUEBEC
DISTRICT OF QUEBEC
DIVISION: 01 - MONTREAL
S.C.: 500-11-042856-126
SUPER.: 41-1635185

SUPERIOR COURT
COMMERCIAL DIVISION

IN THE MATTER OF THE PROPOSAL OF :

LINDOR INC., body politic and corporate, duly incorporated according to Law, and having its head office and principal place of business at 9600 Meilleur Street, suite 750, in the city of Montreal, province of Quebec H2N 2E3.

Debtor Company

- AND -

KPMG INC.

Trustee

**NOTICE TO CREDITORS FOR AN EXTENTION
(Section 50.4(9))**

NOTICE is hereby given that LINDOR INC. from Montreal, in the Province of Quebec filed a petition for an extension of delay in virtue of Section 50.4 paragraph 9 of the *Bankruptcy and Insolvency Act* on July 9, 2012. Said petition was granted by Me Pierre Pellerin, registrar, thereby having the effect of prolonging the delay in which to file the proposal by an additional 45 days, until August 23rd, 2012.

Dated, at Montreal, this 10th day of July 2012

KPMG INC.
Trustee
Dev A. Coossa, CIRP
Designated Administrator
600 de Maisonneuve Blvd. West
Suite 1500
Montreal, QC H3A 0A3

(514) 840-2100

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL
NO.: 500-11-042856-126
ESTATE NO: 41-1635185

SUPERIOR COURT
(Commercial Division)



IN THE MATTER OF THE NOTICE OF INTENTION TO FILE A PROPOSAL OF:

LINDOR INC., a legal person incorporated pursuant to the laws of Quebec, having its head office and principal establishment at 9600 Meilleur Street, Suite 750, Montreal, Quebec, H2N 2E3;

Debtor/Petitioner

-and-

KPMG INC., having an establishment at 600 De Maisonneuve Blvd. West, Suite 1500, Montreal, Quebec, H3A 0A3;

Trustee

MOTION TO EXTEND THE DELAY TO MAKE A PROPOSAL
(Section 50.4(9) Bankruptcy and Insolvency Act, Canada)

IN SUPPORT OF THE PRESENT MOTION, PETITIONER, LINDOR INC., DECLARES AS FOLLOWS:

1. On June 13, 2012, the Debtor, Lindor Inc., filed a Notice of Intention to Make a Proposal (the "NOI") under the relevant provisions of the *Bankruptcy and Insolvency Act*, Canada ("BIA") and named KPMG Inc. as Trustee thereto, the whole as appears of court record herein.
2. The Debtor's business consists of the operation of retail stores selling women's clothing. At the time of the filing of the NOI, the Debtor operated seventy-three (73) retail locations in the provinces of Quebec, Ontario and the Maritime provinces.
3. The Debtor's insolvency results from, *inter alia*, high overhead and operating costs, unprofitable store locations and declining sales.
4. In an effort to rationalize its operations and reduce expenses, the Debtor, following the filing of the NOI, delivered Lease Disclaimer Notices with respect to fourteen (14) of its locations as well as began reducing its head office staff.



LAPOINTE ROSENSTEIN
MARCHAND MELANÇON
LLP Attorneys

9/20/12
Un le report. Conseil
et les informations
de la des parties de l'art 50.4(9) L
PROPOSE jusqu'au 23 août 2012
les délais misant de la proposition

5. The Debtor anticipates that in order to be in a position to present a viable proposal to its creditors, it will be required to effect further staff cuts as well as further store closings.
6. The Debtor has also engaged a consultant in order to facilitate store closeout sales as well as the rationalization of its inventory in its remaining stores.
7. There is no prejudice to any of the Debtor's creditors if the extension requested herein is granted. On the contrary, if the extension is not granted and the Debtor becomes bankrupt, a significant prejudice will be suffered by all of its creditors, employees and other stakeholders.
8. The Debtor has acted, is acting and will continue to act in good faith and with due diligence.
9. The Trustee's report on the state of the Debtor's business and financial affairs will be presented by the Trustee at the hearing of the present Motion.
10. Given all of the foregoing, the Debtor is entitled to seek the extension of the delay to make its proposal for a further period of forty-five (45) days; namely, until August 23, 2012.
11. The present Motion is well founded in fact and in law.

WHEREFORE, THE DEBTOR/PETITIONER PRAYS FOR JUDGMENT OF THIS HONOURABLE COURT:

- (A) **GRANTING** the present Motion;
- (B) **EXTENDING** the delay for Debtor/Petitioner to make its proposal until August 23, 2012.

THE WHOLE WITHOUT COSTS.

MONTREAL, this July 6, 2012

*LaPointe Rosemali
Marchand Melançon, LLP*

**LAPOINTE ROSENSTEIN
MARCHAND MELANÇON, L.L.P.**

Attorneys for Debtor/Petitioner

*LaPointe Rosemali
Marchand Melançon, LLP*
COPIE CONFORME/TRUE COPY
**LAPOINTE ROSENSTEIN
MARCHAND MELANÇON
S.E.N.C.R.L./L.L.P.**



**LAPOINTE ROSENSTEIN
MARCHAND MELANÇON**
L.L.P. Attorneys