

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)

MR. JUSTICE HAINEY)

TUESDAY, THE 4th

DAY OF MAY, 2021



IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF SEARS CANADA INC., 9370-2751 QUÉBEC INC., 191020 CANADA INC., THE CUT INC., SEARS CONTACT SERVICES INC., INITIUM LOGISTICS SERVICES INC., 9845488 CANADA INC., INITIUM TRADING AND SOURCING CORP., SEARS FLOOR COVERING CENTRES INC., 173470 CANADA INC., 2497089 ONTARIO INC., 6988741 CANADA INC., 10011711 CANADA INC., 1592580 ONTARIO LIMITED, 955041 ALBERTA LTD., 4201531 CANADA INC., 168886 CANADA INC., AND 3339611 CANADA INC.

**ORDER
(Discharge of Litigation Trustee and Fee Approval)**

THIS MOTION, made by J. Douglas Cunningham, Q.C., in his capacity as court-appointed Litigation Trustee (in that capacity, the "**Litigation Trustee**") for an Order: (i) approving the fees of the Litigation Trustee and his counsel; and (ii) discharging the Litigation Trustee from his role, was heard this day at the court house, 330 University Avenue, 9th Floor, Toronto Ontario M5G 1R7.

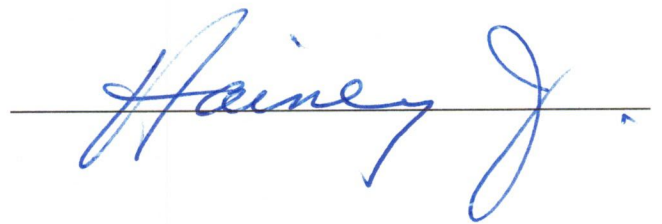
ON READING the Notice of Motion of the Litigation Trustee and the Affidavit of Andrew Winton, sworn April 15, 2021 and on hearing the submissions of the lawyers for the

Litigation Trustee and such other counsel as were present, no one else appearing although properly served,

1. **THIS COURT ORDERS** that the time for service of the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that (i) the fees and disbursements of the Litigation Trustee in connection with this proceeding, totaling \$248,981.38 (including applicable taxes); and (ii) the fees and disbursements of Lax O'Sullivan Lisus Gottlieb LLP, in its capacity as legal counsel to the Litigation Trustee, in connection with this proceeding, totaling \$3,572,307.08 (including applicable taxes), be and are hereby approved.

3. **THIS COURT ORDERS** that the Litigation Trustee be and hereby is discharged from his role as Litigation Trustee, as set out in the Appointment Order of December 8, 2018.

A handwritten signature in blue ink is written over a horizontal line. The signature is cursive and appears to read "Hainey J".

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED
AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF SEARS CANADA INC., et al.

Court File No. CV-17-11846-00CL

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PROCEEDING COMMENCED AT
TORONTO

ORDER
(Discharge of Litigation Trustee and Fee Approval)

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