

## ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

)	WEDNESDAY, THE 18 <sup>th</sup>
)	DAY OF APRIL, 2018
	<i>D71.</i> 01 711 1112, 2010
	) )

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., INITIUM COMMERCE LABS 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.

(each, an "Applicant", and collectively, the "Applicants")

### ORDER (Pre-Filing Tax Payments)

THIS MOTION made by FTI Consulting Canada Inc., in its capacity as court-appointed Monitor (the "Monitor"), for an Order with respect to certain payments described as the Pre-Filing Tax Payments in the Supplement to the Eleventh Report of the Monitor, dated January 21, 2018, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Fifteenth Report of the Monitor, dated March 12, 2018, (the "Fifteenth Report"), and the Supplement to the Fifteenth Report of the Monitor dated April 16, 2018 and on hearing the submissions of counsel for the Applicants, the Monitor, and those other counsel present, no one else appearing although duly served as appears from the affidavit of service of Catherine Ma sworn March 12, 2018 and Evan Cobb, sworn April 17, 2018,

#### SERVICE

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

#### **DEFINED TERMS**

2. THIS COURT ORDERS that all capitalized terms used herein and not defined have the meanings ascribed to them in the Fifteenth Report.

#### PRE-FILING TAX PAYMENTS

- 3. THIS COURT ORDERS that the parties listed on Schedule "A" hereto shall, within 10 days of the date of this Order, pay to Sears Canada Inc., or to the Monitor on behalf of Sears Canada Inc., the amounts set out adjacent to their names on Schedule "A" hereto as a repayment of Pre-Filing Tax Payments received by such parties in respect of the locations listed on Schedule "A".
- 4. THIS COURT ORDERS that Confidential Appendices 'B' and 'C' to the Supplement to the Fifteenth Report shall be sealed and kept confidential pending further order of the Court.

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ENTERED AT / INSCRIT À TORONTO ON / BOOK NO:

LE / DANS LE REGISTRE NO:

APR 1 8 2018

PER / PAR:

CAN DMS: \110703959\5

#### Schedule "A"

Location	Landlord	Amount
Regina Home	3015 Quance Street Properties LP	\$83,042.72

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF SEARS CANADA INC., AMENDED

et al.

# SUPERIOR COURT OF JUSTICE COMMERCIAL LIST ONTARIO

Proceeding commenced at Toronto

# ORDER (PRE-FILING TAX PAYMENTS)

NORTON ROSE FULBRIGHT CANADA LLP Royal Bank Plaza, South Tower, Suite 3800 Toronto, Ontario M5J 2Z4 CANADA 200 Bay Street, P.O. Box 84

Orestes Pasparakis, LSUC#: 36851T +1 416.216.4815

Virginie Gauthier, LSUC#: 41097D +1 416.216.4853

Alan Merskey, LSUC#: 413771

Evan Cobb, LSUC#: 55787N +1 416.216.4805 <u>--</u>

+1 416.216.1929 Te.

+1 416.216.3930

orestes.pasparakis@nortonrosefulbright.com virginie.gauthier@nortonrosefulbright.com alan.merskey@nortonrosefulbright.com evan.cobb@nortonrosefulbright.com Lawyers for FTI Consulting Canada Inc., in its capacity as Monitor