### ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

THE HONOURABLE MR.	)	TUESDAY, THE 26TH
	)	
JUSTICE HAINEY	)	DAY OF FEBRUARY, 2019



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.

**APPLICANTS** 

#### **ORDER**

THIS MOTION, made by FTI Consulting Canada Inc., in its capacity as monitor (the "Monitor"), pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "CCAA"), for an order extending certain deadlines set by the Claims Procedure Orders (as defined below) and certain other relief, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion of the Monitor, filed, and on hearing the submissions of counsel for the Monitor, and such other counsel as were present, no one else appearing although duly served as appears from the Affidavit of Service of Alex Schmitt sworn February 25, 2019, filed:

SERVICE AND DEFINITIONS

1. THIS COURT ORDERS that the time for service of the Notice of Motion, herein 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 each capitalized term used and not defined herein shall

have the meaning ascribed to such term in the Claims Procedure Order dated December 8,

2017 in these proceedings and the Employee and Retiree Claims Procedure Order dated

February 22, 2018 in these proceedings (together the "Claims Procedure Orders").

EXTENSION OF THE DEADLINE TO ISSUE NOTICES OF REVISION OR DISALLOWANCE

3. THIS COURT ORDERS that the deadline for the Monitor to issue Notices of Revision or

Disallowance in respect of D&O Claims and claims filed by the Directors and Officers based

upon claimed indemnity obligations of the Sears Canada Entities to such Directors and Officers.

in each case pursuant to the Claims Procedure Orders, shall be extended until further Order of

this Court.

ENTERED AT / INSCRIT À TORONTO ON / BOOK NO:

IF / DANS LE REGISTRE NO:

FEB 2 6 2019

PER/PAR. W

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

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.

# SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST) ONTARIO

Proceeding commenced at TORONTO

## ORDER

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