



SUPERIOR COURT OF JUSTICE

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00710413-00CL

DATE: 11 December 2023

NO. ON LIST: 4

TITLE OF PROCEEDING: MBL ADMINISTRATIVE AGENT II LLC, v. TRADE X GROUP OF COMPANIES INC., et al
BEFORE: JUSTICE PENNY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Natasha MacParland	Lawyers for the Applicant, MBL Administrative Agent II LLC	nmacparland@dwpv.com
Natalie Renner		nrenner@dwpv.com
Maya Churilov		mchurilov@dwpv.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
John Salmas	Lawyer for the Respondents, Trade X Group of Companies Inc., 12771888 Canada Inc., TVAS Inc., Tradexpress Auto Canada Inc., Trade X Fund GP Inc., Trade X LP Fund I, Trade X Continental Inc., TX Capital Corp., Techlantic Ltd., and TX OPS Canada Corporation	john.salmas@dentons.com
Mark Freake		mark.freake@dentons.com
Helen Fotinos		helen.fotinos@dentons.com
Heather Meredith	Lawyer for Aimia Inc.	hmeredith@mccarthy.ca
Nathalie Nouvet	Lawyer for Highcrest Lending Inc.	nnouvet@stikeman.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Caroline Descours	Lawyer for the Proposed Receiver,	cdescours@goodmans.ca

	FTI Consulting Canada Inc.	
Paul Bishop	The Proposed Receiver	bishop@fticonsulting.com

ENDORSEMENT OF JUSTICE PENNY:

- [1] The Applicant seeks the appointment of FTI Consulting as Receiver of the Respondent debtors.
- [2] The parties have, however, negotiated the terms of an adjournment, to permit the debtors an opportunity to refinance.
- [3] The terms of the interim order provide for the appointment of FTI as Information Officer and give the debtors until December 21 to conclude a transaction. In the event that the revised offer submitted by 15449189 Canada Inc. (the "MBO Purchaser") to Trade-X Group of Companies Inc. has not closed by end of day on December 21, 2023, or such other date that the Parties may agree, the Respondents consent to the appointment of FTI Consulting Canada Inc. as Receiver pursuant to this receivership application at a hearing scheduled for December 22, 2023. For greater certainty the Parties include the Applicant, the Respondents, the MBO Purchaser, Aimia Inc. and Highcrest Lending Corporation.
- [4] I am satisfied that the appointment of FTI as Information Officer is fair and reasonable in the circumstances, and that the remaining terms of the adjournment, as agreed, are appropriate.
- [5] This matter is adjourned to December 22, 2023 at 10:00 AM for one hour. Order to issue in the form signed by me this day.



Penny J.