

Form 10-3
(Rule 10-3)

COURT FILE NUMBER QB 618 OF 2020

COURT OF QUEEN'S BENCH FOR
SASKATCHEWAN IN BANKRUPTCY AND
INSOLVENCY
JUDICIAL CENTRE

SASKATOON

APPLICANT

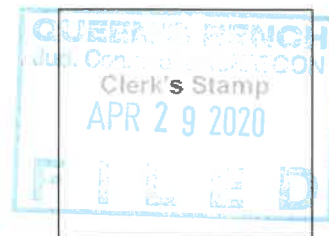
THE SUPERINTENDENT OF BANKRUPTCY

DEBTOR

JESSICA SHIRLEY TROTTER

TRUSTEE

BDO CANADA LIMITED



ORDER

Order made this 29TH day of APRIL, 2020.

Before the Honourable Madam Justice A.R. Rothery in chambers the 29th day of April, 2020.

On the application of David J. Smith lawyer on behalf of the Applicant, the Superintendent of Bankruptcy (the "Superintendent"), and on hearing David J. Smith, lawyer on behalf of the Superintendent, and on reading the Originating Application dated April 28, 2020, the Affidavit of the Superintendent, Elisabeth Lang, affirmed on April 28, 2020, the Affidavit of André Bolduc, affirmed on April 28, 2020, and the draft Order, all filed:

THE COURT ORDERS THAT:

1. For the purposes of this Order:
 - a. The "Period of the Emergency" shall be defined as the period of March 13, 2020, to June 30, 2020. For greater certainty, the start date and the end date are included in the Period of the Emergency.
 - b. The "Suspension Period" shall be defined as the period from April 27, 2020 to June 30, 2020. For greater certainty, the start date and the end date are included in the Suspension Period.

2. This Order shall apply to:
 - a. All “Active Commercial Proposals” (Division I proposals), which shall be defined as all the Division I proposals filed with the Office of the Superintendent of Bankruptcy (“OSB”) up to the end of the Period of the Emergency;
 - b. All “Active Consumer Proposals” (Division II proposals), which shall be defined as all the Division II proposals filed with the OSB or revived pursuant to the *B/A* up to the end of the Period of the Emergency, but excluding the Division II proposals that were deemed annulled, annulled or that were fully performed on or before the date of this Order; and
 - c. All “Active Bankruptcy Files”, which shall be defined as all bankruptcies filed with the OSB, up to the end of the Period of the Emergency, but excluding the bankruptcies wherein the bankrupt had received his or her discharge on or before the date of this Order.
3. The time for service and filing of the Originating Application and supporting Affidavits herein are hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
4. The requirement for a separate Originating Application and supporting Affidavits to be filed in the Court file of each of the insolvency files in the Province of Saskatchewan affected by this Order is hereby dispensed with.
5. The requirement for notice of this Application to any debtor, inspector or creditor, within the bankruptcy and proposal estates administered in the Province of Saskatchewan, be and is hereby waived.
6. The Superintendent of Bankruptcy shall publish this Order on the website of the Office of the Superintendent of Bankruptcy forthwith.
7. This Order is effective as of Monday April 27, 2020, concurrently with the Order pronounced by Chief Justice Geoffrey B. Morawetz of the Ontario Superior Court of Justice on April 27, 2020 in Ontario Court File No.: 31-2597721 (In the matter of the proposal of Stephen Francis Podgurski).

Matters applicable to Active Commercial Proposals

8. The time for holding the meeting of creditors that is to take place during the Period of the Emergency, as provided by section 51 of the *BIA*, is to be extended by the time of the Suspension Period.

Matters applicable to Active Consumer Proposals

9. The time for holding the meeting of creditors that is to take place during the Period of the Emergency, as provided by section 66.15 of the *BIA*, is to be extended by the time of the Suspension Period.
10. An Active Consumer Proposal shall not be deemed annulled pursuant to section 66.31 of the *BIA* unless the consumer debtor is in default of:

- a. In the case when payments under the Active Consumer Proposal are to be made monthly or more frequently, the day on which the consumer debtor is in default for an amount that is equal to or more than the amount of three payments plus an additional amount equivalent to up to three payments for defaults that occurred during the period of March 13, 2020, to December 31, 2020; or
- b. In the case when payments under the Active Consumer Proposal are to be made less frequently than monthly, the day that is three months after the day on which the consumer debtor is in default in respect of any payment except that for those payments due between March 13, 2020 to December 31, 2020 it shall be the day that is six months after the day on which the consumer debtor is in default.

Matters applicable to Active Bankruptcy Files:

11. The trustee's obligation to apply to court for a hearing during the Period of the Emergency, as provided by subsection 170.1(3) of the *BIA*, is to be extended by the time of the Suspension Period.

12. The time for the holding of the meeting of creditors that is to take place during the Period of the Emergency, as provided by section 102 of the *BIA*, is to be extended by the time of the Suspension Period.
13. The time for scheduling a mediation that is to take place during the Period of the Emergency, as provided by rule 105(4) and (10) of the *Bankruptcy and Insolvency General Rules*, C.R.C., c. 368, is to be extended by the time of the Suspension Period.
14. Any interested person may apply to the Court to terminate the relief provided herein in respect of any proceeding, on providing notice of the application to do so on five days notice to the trustee, the OSB, and any other person likely to be affected by the order sought.

ISSUED at the City of Saskatoon, in the Province of Saskatchewan, this 29TH day of April, 2020.


D/Local Registrar

CONTACT INFORMATION AND ADDRESS FOR SERVICE

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Prairie Region, Saskatoon Office

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