

**ONTARIO
SUPERIOR COURT OF JUSTICE
(IN BANKRUPTCY AND INSOLVENCY)
(COMMERCIAL LIST)**

**IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY*,
R.S.C. 1985, c. B-3, AS AMENDED**

**AND IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A
PROPOSAL OF QUALITY MEAT PACKERS LIMITED**

SUPPLEMENTARY AFFIDAVIT OF KEN OVINGTON

I, **KEN OVINGTON**, of the Town of Harley, in the Province of Ontario, MAKE OATH AND SAY:

1. I am the General Manager of the Ontario Pork Producers' Marketing Board ("**Ontario Pork**"), and as such have knowledge of the matters hereinafter deposed.
2. I swear this affidavit to supplement my affidavit dated April 9, 2014, filed in this proceeding and in response to the affidavit of David Schwartz sworn April 9, 2014.

Meeting with Quality Meats

3. At paragraph 27 of his affidavit Mr. Schwartz discusses a meeting held on the weekend of March 28, 2014 attended by the Deputy Minister of the Ontario Ministry of Agriculture and members of Ontario Pork.
4. I attended this meeting along with one of my colleagues. We were asked to attend as observers at the meeting.

5. At no time during the meeting was there any indication that producers would not be paid by Quality Meat. At no time were we told that it would be filing for protection pursuant to the *Bankruptcy and Insolvency Act*. As a result, based on everything that we were told, Ontario Pork reasonably believed that all producers would be paid for all hogs delivered during the following week within 72 hours, as was always the case.

6. In fact, had we been told that Quality Meat would not be paying for the hogs shipped during the week of March 31, 2014, we would not have made any such shipments.

Payment Agreement


7. Mr. Schwartz also attached a Payment Agreement that was negotiated with Ontario Pork as Exhibit "A" to his affidavit.

8. The Payment Agreement covers the mechanism of payment for hogs, but does not set a price. Negotiations over price are independent of the Payment Agreement.

9. For its part, Ontario Pork Marketing Division has not been approached for payment concessions.

10. To date no shipments or payments have been made under the Payment Agreement between Quality Meat and Ontario Pork.

Sworn before me at the City of Toronto, in)
 the Province of Ontario this 10th day of)
 April, 2014)


 Commissioner for Taking Affidavits)


 KEN OVINGTON)

Scott McGrath