

THE QUEEN'S BENCH - GENERAL DIVISION
WINNIPEG CENTRE

BETWEEN:

WHITE OAK COMMERCIAL FINANCE LLC

Plaintiff/Applicant

- and -

NYGARD HOLDINGS (USA) LIMITED, NYGARD INC., ET AL
(\*\*SEE BELOW FOR FULL TITLE OF PROCEEDINGS)

Defendant/Respondent

CIVIL DISPOSITION SHEET (E-FILE)

SITTING DATE(S)

JUDGE

Table with columns for Counsel and Judge, listing names and checkboxes for Plaintiff, Defendant, Other, Applicant, Respondent, and Present.

TYPE OF ACTION

- Checkboxes for Trial, Motion, Ex Parte, Consent, Uncontested, Contested, Relief, Small Claim Appeal, Leave Required, Security for Costs, Waived, Monies Garnished.

DISPOSITION

- Checkboxes for Settled, Withdrawn, Reserve Decision, Judgment, Order, Adjournment to MARCH 12, 2020 @ 1:00 P.M.

DETAILS

TITLE OF PROCEEDINGS:
WHITE OAK COMMERCIAL FINANCE
-AND-
NYGARD HOLDINGS (USA) LIMITED, NYGARD INC., FASHION VENTURES, INC., NYGARD NY RETAIL, LLC, NYGARD ENTERPRISES. LTD., NYGARD PROPERTIES LTD., 4093879 CANADA LTD., 4093887 CANADA LTD., AND NYGARD INTERNATIONAL PARTNERS
DISPOSITION:
THE REQUEST TO AJOURN THE HEARING OF THE APPLICATION IS GRANTED. THE COURT HAS JURISDICTION TO HEAR THE APPLICATION. ORDER GRANTED DIRECTING THE PARTIES TO CONTINUE TO COMPLY WITH THE CREDIT AGREEMENT INCLUDING ANY ANCILLARY DOCUMENTS AND INSPECTIONS ARE TO BE PERMITTED IN ACCORDANCE WITH 6.10 OF THE CREDIT AGREEMENT BY RICHTER COMMENCING AS SOON AS POSSIBLE ON MARCH 11, 2020.
THE RESPONDENTS ARE DIRECTED TO COMPLY WITH CREDIT AGREEMENT TERMS AND UNDERTAKE THAT THERE WILL BE NO CHANGES TO THE COLLATERAL, THAT IS NO STEPS TAKEN TO DEAL WITH OR DISPOSE OF COLLATERAL WITHOUT THE CONSENT OF RICHTER OTHER THAN IN THE ORDINARY COURSE OF BUSINESS IN THE RESPONDENTS' RETAIL STORES.
THERE WILL ALSO BE A DIRECTION THAT THE RESPONDENTS ADVISE NO LATER THAN 09:00 AM ON MARCH 11, 2020 THE PROPOSAL TO SATISFY PAYROLL OF THE RESPONDENTS.
THE RESPONDENTS SHALL FILE AFFIDAVIT MATERIAL NO LATER THAN MARCH 11, 2020 AT 4:00 PM. AFFIDAVITS SHALL BE EMAILED JUSTICE EDMOND.

AMENDMENT TO

Requested by Service of Amended Document Ordered Waived

CLERK FOLLOW UP: Registry Amendment Alert entered

COSTS OF \$ NO ORDER MADE including plus disbursements to be taxed

SERVICE OF THIS ORDER

DATE MARCH 10, 2020

J.G. Edmond, J. Digitally signed by J.G. Edmond, J. Date: 2020.03.11 09:22:25 -05'00'

CLERK M. NITSCH Order to Judge Judge seized Judge not seized