7 avril 2017

CANADA PROVINCE OF QUÉBEC DISTRICT OF MONTREAL

NO.: 500-11-051968-176

ESTATE NO.: 41-2209911

SUPERIOR COURT (Commercial Division)

(Bankruptcy and Insolvency Act,

R.S.C. 1985, c. B-3)

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF:

137049 CANADA INC.,

Considérant fue le 22 mai 2017 est un jour férie (Non péridépue). Délai prorégéan 23 mai 2017

MTLCE 7 04-17

Trustee

Debtor/Petitioner

MOTION TO EXTEND THE DELAY TO MAKE A PROPOSAL

(Section 50.4(9) of the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3)

TO ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT, SITTING IN THE COMMERCIAL DIVISION, IN AND FOR THE DISTRICT OF MONTREAL, OR TO ONE OF ITS REGISTRARS, THE DEBTOR/PETITIONER RESPECTFULLY SUBMITS AS FOLLOWS:

- 1. On January 23, 2017, 137049 Canada Inc. (the "Debtor") filed a Notice of Intention to Make a Proposal (the "NOI") pursuant to the relevant provisions of the Bankruptcy and Insolvency Act, Canada and named MNP Ltd. (the "Trustee") as trustee thereto, the whole as appears of record herein.
- 2. On January 27, 2017, this Honourable Court granted the Debtor's Motion to sell substantially all of its assets except for accounts receivable (the "Receivables") to an unrelated third party (the "Purchaser") and issued an order to such effect, as rectified (the "Vesting Order"), the whole as appears of record herein.
- 3. On February 22, 2017, this Honourable Court extended the Debtor's delay to make a proposal until April 7, 2017 (the "NOI Delay"), the whole as appears of record herein (the "Extension Order").
- The Debtor is a well-known and established Québec based provider of various 4. freight and trucking services and has been in business for over 30 years (the "Business").
- The Debtor's secured operating lender is Bank of Montreal ("BMO") in virtue of 5. various credit facilities extended to the Debtor pursuant to several loan agreements, as amended (the "BMO Credit Facilities") COPIE CERTIFIÉE CONFORME AU DOCUMENT DÉTENU PAR LA COUR

2017-04-05 20*00 0242999-0154-1246 Palais Justice MONTREAL Gouvernement du Guébec DEOLLS DE GREFFE