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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Ted Baker Canada Inc., *et al.*,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 24-10699 (MEW)

Joint Administration Requested

**MOTION FOR ORDER SCHEDULING RECOGNITION HEARING
AND SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE**

Ted Baker Canada Inc., as the court-appointed foreign representative (the “Foreign Representative”) of the above-captioned debtors (the “Debtors”), which are the subject of jointly-administered proceedings (the “Canadian Proceedings”) under Canada’s Companies’ Creditors Arrangement Act, R.S.C. 1985, c. C-36 (as amended, the “CCAA”) in the Ontario Superior Court of Justice, in Toronto, Ontario, Canada (the “Canadian Court”), respectfully submits this motion (the “Motion”) for entry of an order (i) scheduling a hearing on the relief sought in the *Verified Petition for Entry of Order Recognizing Foreign Main Proceeding and Granting Additional Relief*

¹ The Debtors in these chapter 15 cases, along with the last four digits of each Debtor’s U.S. Federal Employer Identification Number (“FEIN”) or Canada Revenue Agency Business Number (“BN”), are: Ted Baker Canada Inc. (BN 3889); Ted Baker Limited (FEIN 3341); OSL Fashion Services, Inc. (FEIN 1225); and OSL Fashion Services Canada (BN 7745).

(the “Verified Petition”), and (ii) specifying the form and manner of service of notice thereof. In support of this Motion, the Foreign Representative respectfully represents:

BACKGROUND

1. On the date hereof, the Foreign Representative filed chapter 15 petitions for each of the Debtors (the “Chapter 15 Petitions”), the *Verified Petition, and the Declaration of Antoine Adams in Support of Verified Petition for Entry of an Order Recognizing Foreign Main Proceedings and Granting Additional Relief* (the “Adams Declaration”). A further description of the Debtors’ business and the events leading up to the commencement of the Canadian Proceedings and these chapter 15 cases is included in the Adams Declaration, which is incorporated herein by reference.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding under 28 U.S.C. § 157(b)(2)(P). Venue is proper in this district pursuant to 28 U.S.C. §§ 1410(1), (3).

RELIEF REQUESTED

3. The Foreign Representative respectfully requests entry of an order, substantially in the form attached hereto as **Exhibit A**, (i) scheduling a hearing on or about 21 days after the date of service of the Notice Documents (defined below), or as soon thereafter as this Court’s calendar permits, on the relief sought in the Verified Petition (the “Recognition Hearing”), (ii) setting the deadline by which any responses to the Verified Petition must be received (the “Objection Deadline”) on or about seven days prior to the date of the Recognition Hearing, (iii) approving the form of notice of the Recognition Hearing and Objection Deadline attached hereto as **Exhibit B** (the “Hearing Notice”), and (iv) approving the manner of service of the Hearing Notice described herein.

BASIS FOR RELIEF REQUESTED

4. Rule 2002(q)(1) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) provides that the debtor, all persons or bodies authorized to administer Canadian Proceedings of the debtor, all entities against whom provisional relief under Bankruptcy Code section 1519 is sought, all parties to litigation pending in the United States in which the debtor is a party at the time of the filing of the petition, and such other entities as the court may direct must be given at least 21 days’ notice of the Recognition Hearing.

5. Further, Bankruptcy Rules 2002(m) and 9007 provide, among other things, when notice is to be given under the Bankruptcy Rules, the presiding court shall designate the form and manner in which such notice shall be given, if the appropriate form and manner of notice is not specified by the Bankruptcy Code or Bankruptcy Rules. Although Bankruptcy Rule 2002(q)(1) provides that the parties specified must receive at least 21 days’ notice of the Recognition Hearing, it does not specify the form or manner in which such notice must be given. Therefore, pursuant to Bankruptcy Rules 2002(m) and 9007, this Court may specify such form and manner of notice.

6. The Foreign Representative has compiled a service list, annexed hereto as **Exhibit C**, containing (i) all parties required to be served with notice of the Recognition Hearing pursuant to Bankruptcy Rule 2002(q)(1) and (ii) additional parties whom the Foreign Representative proposes to serve with notice of the Recognition Hearing (collectively, the “Notice Parties”). The Foreign Representative respectfully submits that service of (i) the Hearing Notice, (ii) the Chapter 15 Petitions, (iii) the Verified Petition (including the proposed form of order), and (iv) the Adams Declaration (including all exhibits thereto) (together, the “Notice Documents”) (a) by United States mail, overnight or first-class postage prepaid, upon the Notice Parties in accordance with Bankruptcy Rule 2002(q)(1) within two (2) business days following entry of an order approving this Motion and (b) by posting on the website maintained by Alvarez & Marsal Canada Inc., the

Monitor appointed by the Canadian Court, at www.alvarezandmarsal.com/TBRetail constitutes adequate and sufficient notice of the commencement of these cases and the relief sought in the Verified Petition. Accordingly, the Foreign Representative respectfully requests that this Court approve the foregoing manner of service of the Notice Documents pursuant to Bankruptcy Rules 2002(m), 2002(q)(1), and 9007.

7. In addition, if any party files a notice of appearance in this case, the Foreign Representative proposes to serve the Notice Documents and subsequent notices upon such party within three (3) days of the filing of such notice of appearance if such documents have not already been served on such party (or its counsel).

8. Bankruptcy Rule 1012(b) provides, among other things, that objections and other responses to a petition for recognition of a foreign proceeding shall be presented no later than seven days before the date set for the hearing on the petition, unless the court prescribes some other time or manner for responses. The Foreign Representative respectfully requests, pursuant to Bankruptcy Rule 1012(b), that this Court set the Objection Deadline at least seven days prior to the Recognition Hearing.

9. Bankruptcy Code section 1514(c) provides that when notice of the commencement of a case is to be given to foreign creditors, such notice shall, among other things, indicate the time period for filing proofs of claim, specify the place for filing such proofs of claim, and indicate whether secured creditors need to file proofs of claim. The Foreign Representative submits, however, that section 1514 only applies in plenary cases and does not apply in the context of a chapter 15 case. *See Collier on Bankruptcy* ¶ 1514.01 (section 1514 is the “last in a series of sections dealing with the international aspects of cases under chapters other than chapter 15 that begin with section 1511”). Accordingly, the Foreign Representative requests that the requirements

contained therein be waived in this instance. Courts in this district have regularly granted this request.

NO PRIOR REQUEST

10. No prior request for the relief requested herein has been made to this or any other court.

DATED: April 24, 2024

Respectfully submitted,

COLE SCHOTZ P.C.

By: /s/Warren A. Usatine
Warren A. Usatine, Esq.
Felice Yudkin, Esq.
Mark Tsukerman, Esq.
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Counsel to Foreign Representative

EXHIBIT A

Proposed Order

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Ted Baker Canada Inc., *et al.*,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 24-10699 (MEW)

Joint Administration Requested

**ORDER SCHEDULING RECOGNITION HEARING AND
SPECIFYING FORM AND MANNER OF SERVICE OF NOTICE**

Upon the motion (the “Motion”) of Ted Baker Canada Inc., as the foreign representative (the “Foreign Representative”) of the above-captioned debtors (the “Debtors”) for entry of an order (i) scheduling a hearing on the relief sought in the Verified Petition,² filed April 24, 2024, and (ii) specifying the form and manner of service of notice thereof, it is hereby ORDERED:

1. The Recognition Hearing shall be held before this Court on **May , 2024 at .m. (Eastern Standard Time)** or as soon thereafter as counsel may be heard, before the Honorable [], in Room [] of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004-1408.

2. Objections, if any, to the Verified Petition shall be made in writing and shall set forth the basis therefor, and such objections must be filed with this Court and served upon the Foreign Representative’s counsel, Cole Schotz, P.C., 1325 Avenue of the Americas, New York, New York 10019, Attn: Warren A. Usatine, Esq., Felice Yudkin, Esq., and Mark Tsukerman, Esq.,

¹ The Debtors in these chapter 15 cases, along with the last four digits of each Debtor’s U.S. Federal Employer Identification Number (“FEIN”) or Canada Revenue Agency Business Number (“BN”), are: Ted Baker Canada Inc. (BN 3889); Ted Baker Limited (FEIN 3341); OSL Fashion Services, Inc. (FEIN 1225); and OSL Fashion Services Canada (BN 7745).

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

so as to be received by __: __.m. (Eastern Standard Time) on May , 2024, with a courtesy copy served upon the Chambers of the Honorable [], United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004-1408.

3. The form of Hearing Notice attached to the Motion as Exhibit B is approved.

4. Copies of the Notice Documents shall be served by (i) United States mail, first-class postage prepaid, upon the Notice Parties within two (2) business days following entry of an order approving the Motion and (ii) by posting on the Monitor's web site at www.alvarezandmarsal.com/TBRetail.

5. If any party files a notice of appearance in these cases, the Foreign Representative shall serve a copy of the Notice Documents on such party or its counsel within three (3) business days following the filing of such notice of appearance if such documents have not already been served on such party (or its counsel).

6. The notice requirements in Bankruptcy Code section 1514(c) are inapplicable in the context of these cases.

7. Service pursuant to this order shall be good and sufficient service and adequate notice of the Recognition Hearing.

Dated: New York, New York
_____, 2024

United States Bankruptcy Judge

EXHIBIT B

Hearing Notice

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	Chapter 15
Ted Baker Canada Inc., <i>et al.</i> , ¹	Case No. 24-10699 (MEW)
Debtors in a Foreign Proceeding.	Joint Administration Requested

**NOTICE OF FILING AND HEARING ON PETITIONS
UNDER CHAPTER 15 OF THE BANKRUPTCY CODE**

PLEASE TAKE NOTICE that on April 24, 2024, Ted Baker Canada Inc., as the court-appointed foreign representative (the “Foreign Representative”) of the above-captioned debtors (the “Debtors”), which are the subject of jointly-administered proceedings under Canada’s *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36 in the Ontario Superior Court of Justice in Toronto, Ontario, Canada (the “Canadian Proceedings”), filed a verified petition (the “Verified Petition”) with the U.S. Bankruptcy Court for the Southern District of New York (the “Court”).

PLEASE TAKE FURTHER NOTICE that, among other things, the Verified Petition requests entry of an order recognizing the Canadian Proceedings as foreign main proceedings pursuant to section 1517 of title 11 of the U.S. Code (the “Bankruptcy Code”), granting related relief pursuant to Bankruptcy Code section 1520, and granting certain additional relief pursuant to Bankruptcy Code section 1521.

PLEASE TAKE FURTHER NOTICE that the Court has scheduled a hearing to consider the relief requested in the Verified Petition (the “Recognition Hearing”) at [:___.m. (E.S.T.) on May , 2024]. The Recognition Hearing will be held before the Honorable [] in Room [] of the U.S. Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, N.Y. 10004-1408. At the Recognition Hearing, the Court may order the scheduling of a case management conference to consider the efficient administration of the Debtors’ cases.

PLEASE TAKE FURTHER NOTICE that any objection to the Verified Petition must be made in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Rules of the U.S. Bankruptcy Court for the Southern District of New York, and any rules of the Honorable [] in a writing that sets forth the basis for such objection with specificity. Any such objection must be filed with the Court electronically by registered users of the Court’s case filing system and served upon the Foreign Representative’s counsel, Cole Schotz, P.C., 1325 Avenue of the Americas, New York, New York 10019, Attn: Warren A. Usatine, Esq., Felice Yudkin, Esq., and Mark Tsukerman, so as to be received no later than [:_ _m. (E.S.T.) on May , 2024], with

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two courtesy copies served upon the Chambers of the Honorable [], U.S. Bankruptcy Judge, U.S. Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, N.Y. 10004-1408.

PLEASE TAKE FURTHER NOTICE that if no objection is timely filed and served as provided above, the Court may grant the relief requested in the Verified Petition without a hearing or further notice.

PLEASE TAKE FURTHER NOTICE that any party in interest objecting to the Verified Petition or the relief requested therein must appear at the Recognition Hearing at the time and place set forth above.

PLEASE TAKE FURTHER NOTICE that the Recognition Hearing may be adjourned from time to time without further notice other than an announcement in open court or a notice of adjournment filed with the Court.

PLEASE TAKE FURTHER NOTICE that copies of the Verified Petition and all other documents filed in this case can be accessed (i) at www.alvarezandmarsal.com/TBRetail or (ii) from the Court's web site, <http://ecf.nysb.uscourts.gov> (a PACER login and password are required to retrieve documents).

DATED: April ___, 2024

Respectfully submitted,

COLE SCHOTZ P.C.

By: /s/draft

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Felice Yudkin, Esq.

Mark Tsukerman, Esq.

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fyudkin@coleschotz.com

mstukerman@coleschotz.com

Counsel to Foreign Representative

EXHIBIT C

Service List

SERVICE LIST

Creditor	Address	Fax Number	Email Address
No Ordinary Designer Label Limited (Licensor)	c/o Authentic Brands Group, LLC 1411 Broadway, 21 st Floor New York, NY 10018 Attention: Legal Department	212.760.2419	legaldept@authentic.com Jay Dubiner, Chief Legal Officer jdubiner@authentic.com Anthony Melzi, SVP, Business Development, Lifestyle < amelzi@authentic.com >
Future Forwarding Co	4380 International Parkway, Suite C Atlanta, GA 30354 Attn: Colin Smith, President Wesley Dunn, Finance		colinsmith@usffcl.com wesleydunn@usffcl.com
BB IPCO LLC (Brooks)	c/o Authentic Brands Group, LLC 1411 Broadway, 21 st Floor New York, NY 10018 Attention: Legal Department		legaldept@authentic.com Jay Dubiner, Chief Legal Officer jdubiner@authentic.com Anthony Melzi, SVP, Business Development, Lifestyle < amelzi@authentic.com >
ABG Lucky LLC	c/o Authentic Brands Group, LLC 1411 Broadway, 21 st Floor New York, NY 10018 Attention: Legal Department		legaldept@authentic.com Jay Dubiner, Chief Legal Officer jdubiner@authentic.com Anthony Melzi, SVP, Business Development, Lifestyle < amelzi@authentic.com >
OSL Retail Services Inc.	5090 Orbitor Drive, Unit 1 Mississauga, Ontario ON L4W 5B5		Brad Vaiana < BVaiana@winston.com > Marty Geagan < MGeagan@winston.com >
ALVAREZ & MARSAL INC., Proposed Monitor	Royal Bank Plaza, South Tower 200 Bay Street, Suite 3501 Toronto ON M5J 2J1 Attn: Josh Nevsky, Greg Karpel, Conor Good		jnevsky@alvarezandmarsal.com gkarpel@alvarezandmarsal.com cgood@alvarezandmarsal.com

Creditor	Address	Fax Number	Email Address
BENNETT JONES LLP, Counsel to the Proposed Monitor	3400 One First Canadian Place P.O. Box 130 Toronto, Ontario M5X 1A4 Canada Attn: Sean Zweig, Jesse Mighton		zweigs@bennettjones.com mightonj@bennettjones.com
BLAKE, CASSELS & GRAYDON LLP, Counsel for Canadian Imperial Bank of Commerce	199 Bay Street, Suite 4000 Commerce Court West Toronto, Ontario, M5L 1A9 Attn: Aryo Shalviri, Milly Chow		aryo.shalviri@blakes.com milly.chow@blakes.com
McCARTHY TÉTRAULT LLP, Counsel for OSL Retail Services Inc.	66 Wellington Street West Suite 5300, TD Bank Tower Box 48 Toronto ON M5K 1E6 Attn: Jamey Gage		jgage@mccarthy.ca
WINSTON & STRAWN LLP, U.S., Counsel for OSL Retail Services Inc.	200 Park Avenue New York, NY 10166-4193 Attn: William Brewer, Greg Gartland		wbrewer@winston.com ggartland@winston.com
	35 W. Wacker Drive Chicago, IL 60601-9703 Attn: William Brewer, Greg Gartland		
OSLER, HOSKIN & HARCOURT LLP, Counsel for Canadian Applicants	1 First Canadian Place 100 King Street West, Suite 6200 Toronto, Ontario M5X 1B8 Attn: Tracy Sandler, Shawn Irving, Blair McRadu, Marleigh Dick		tsandler@osler.com sirving@osler.com bmcradu@osler.com mdick@osler.com
SDR Distribution Services Inc.	30 Pedigree Court, Unit # 2 Brampton ON L6T 5T8, Canada		

Landlord Vendor	Address	Debtor	Email Address
70 Washington Street LLC	45 Main Street, Suite 1100 c/o Two Trees Management Co. LLC Brooklyn, New York 11201	Ted Baker Limited	
Forbes Taubman Orlando LLC	100 Galleria Officentre, Suite 427 Southfield, MI 48034	Ted Baker Limited	AR@theforbescompany.com
Century City Mall LLC	C/O Bank of America, File 7950 7950 Collection Center Dr Chicago, IL 60693	Ted Baker Limited	USARRemittances@urw.com
Sawgrass Mills	12801 W. Sunruse Blvd Sunrise, FL 33323	Ted Baker Limited	amy.shupkovitz@simon.com
Las Vegas Premium Outlets	PO Box 827724 Philadelphia, PA 19182-7724	Ted Baker Limited	corbin.combs@simon.com
Brickell City Centre Retail LLC	PO Box 772992 Chicago, IL 60677	Ted Baker Limited	corbin.combs@simon.com
Camarillo Premium Outlets	PO Box 822896 Philadelphia, PA 19182	Ted Baker Limited	corbin.combs@simon.com
Desert Hills Premium Outlets	PO Box 822873 Philadelphia, PA 19182	Ted Baker Limited	corbin.combs@simon.com
Fashion Valley Mall	PO Box 53271 Los Angeles, CA 90074	Ted Baker Limited	corbin.combs@simon.com

Landlord Vendor	Address	Debtor	Email Address
Wrentham Village Premium Outlets	PO Box 822920 Philadelphia, PA 19182	Ted Baker Limited	corbin.combs@simon.com
The Domain Mall, LLC	PO Box 406597 Atlanta, GA 30384	Ted Baker Limited	corbin.combs@simon.com
Wooster Street LLC	399 Knollwood Road, Suite 203 White Plains, New York 10603	Ted Baker Limited	jerrya@schurmgmt.com
Kemper Holdings, LLC (Bellevue Square, LLC)	575 Bellevue Sq Bellevue, Washington 98004	Ted Baker Limited	AR@Kemperdc.com
A/R Retail LLC	10 Columbus Circle, Ste 310 New York,, NY 10019	Ted Baker Limited	BMcEvoy@related.com
Frit San Jose Town &Country Village LLC	1626 East Jefferson St Rockville, MD 20852	Ted Baker Limited	sbyrd@federalrealty.com
South Coast Plaza	3333 Bristol Street Costa Mesa, CA 92626	Ted Baker Limited	
Aventura Mall Venture	19501 Biscayne Blvd Aventura, FL 33180	Ted Baker Limited	eperez@turnberry.com
595 Fifth Ave	673 5th Ave, 6th Fl New York, New York 10022	Ted Baker Limited	
Ala Moana Anchor Acquisition, LLC	PO Box 860375 Minneapolis, MN 55486	Ted Baker Limited	AlaMoanaAnchorAcqACH@brookfieldpropertiesretail.com
Fashion Show Mall	SDS-12-2773 PO Box 86 Minneapolis, MN 55486	Ted Baker Limited	FashionShowACH@brookfieldpropertiesretail.com

Landlord Vendor	Address	Debtor	Email Address
Glendale I Mall Associates, LP	PO Box 860116 Minneapolis, MN 55486	Ted Baker Limited	GlendaleGalleriaACH@brookfieldpropertiesretail.com
La Cantera Retail Limited Partnership	15900 La Cantera Parkway Ste 6698 San Antonio, TX 78256	Ted Baker Limited	nancy.tristan@brookfieldpropertiesretail.com
The Macerich Partnership, L.P. (Fashion Outlets of Chicago, LLC)	401 Wilshire Blvd, Ste 700 Santa Monica, CA 90401	Ted Baker Limited	ChicagoOutletsAR@macerich.com
Yorkdale Shopping Centre Holding, Inc	1 Yorkdale Road, Suite 500 Toronto, ON M6A 3A1	Ted Baker Canada Inc.	sborrelli@oxfordproperties.com
The Cadillac Fairview Corp Limited	910 - 609 GRANVILLE ST Vancouver, BC V7Y 1G5	Ted Baker Canada Inc.	
Ivanhoe Cambridge	1 BASS PRO MILLS DRIVE Vaughan, ON L4K 5W4	Ted Baker Canada Inc.	
Ivanhoe Cambridge	95 Wellington Street West, Suite 300 Toronto, ON M5J 2R2	Ted Baker Canada Inc.	
Jones Lang Lasalle, Inc	200 E Randolph St Chicago, IL 60601	Ted Baker Limited	corp.ar@amjll.zendesk.com
Uvictoria	Victoria University Northrop Frye Hall 73 Queen's Park Crescent Toronto, ON M5S 2C3	Ted Baker Canada Inc.	

Landlord Vendor	Address	Debtor	Email Address
475189 British Columbia Ltd.	c/o Warrington PCI Management #300-1030 West Georgia Street Vancouver, BC V6E 2Y3	Ted Baker Canada Inc.	
ONTREA INC	CHINOOK CENTRE, SUITE B1 - ADMIN OFFICE 6455 MACLEOD TRAIL SW Calgary, AB T2H 0K8	Ted Baker Canada Inc.	
ONTREA INC	220 YONGE STREET PO BOX 511, SUITE 110 Toronto, ON M5B 2H1	Ted Baker Canada Inc.	
ONTREA INC - SHERWAY GARDENS	25 THE WEST MALL PO BOX 101 Etobicoke, ON M9C 1B8	Ted Baker Canada Inc.	
SOUTH EDMONTON COMMON WEST	10180 - 111 STREET Edmonton, AB T5K 1K6	Ted Baker Canada Inc.	
VIKING RIDEAU CORPORATION	Mall Administration Office 50 Rideau ST, STE 300 Ottawa, ON K1N 9J7	Ted Baker Canada Inc.	