



Court File No. CV-24-00718993-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE

)

FRIDAY, THE 1st

JUSTICE STEELE

)

DAY OF AUGUST, 2024

)

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF TED BAKER CANADA INC., TED
BAKER LIMITED, OSL FASHION SERVICES CANADA INC.
and OSL FASHION SERVICES, INC.

APPLICANTS

**ORDER
(Stay Extension and WEPPA Declaration)**

THIS MOTION, made by Ted Baker Canada Inc. ("**Ted Baker Canada**"), Ted Baker Limited, OSL Fashion Services Canada Inc. ("**Fashion Canada**"), and OSL Fashion Services, Inc. ("**Fashion US**" and collectively with Ted Baker Canada, Ted Baker Limited, and Fashion Canada, the "**Applicants**"), pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "**CCAA**"), for an order, among other things, extending the stay of proceedings until January 31, 2025, and other relief, was heard this day by judicial videoconference via Zoom at 330 University Avenue, Toronto, Ontario.

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ON READING the Notice of Motion of the Applicants, the affidavit of Antoine Adams sworn July 26, 2024 and the Exhibits thereto (the “**Third Adams Affidavit**”), and the Second Report of Alvarez & Marsal Canada Inc., in its capacity as monitor of the Applicants (in such capacity, the “**Monitor**”) dated July 30, 2024 (the “**Second Report**”), and on hearing the submissions of counsel to the Applicants, the Monitor, and such other counsel as were present, no one else appearing although duly served as appears from the Affidavit of Service of Blair McRadu sworn July 26, 2024, filed:

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that any capitalized term used and not defined herein shall have the meaning ascribed thereto in the Amended and Restated Initial Order in these proceedings dated May 3, 2024 (the “**Amended and Restated Initial Order**”), or the DIP Term Sheet (attached as Exhibit “F” to the Affidavit of Antoine Adams sworn May 1, 2024) as applicable.

STAY EXTENSION

3. **THIS COURT ORDERS** that the Stay Period, as defined in paragraph 14 of the Amended and Restated Initial Order, is hereby further extended until and including January 31, 2025.

WAGE EARNER PROTECTION PROGRAM ACT

4. **THIS COURT ORDERS** that pursuant to subsections 5(1)(b)(iv) and 5(5) of the *Wage Earner Protection Program Act* (Canada), S.C. 2005, c. 47, s. 1 (“**WEPPA**”), Ted Baker Canada and Fashion Canada meet the criteria prescribed by section 3.2 of the *Wage Earner Protection Program Regulations*, SOR/2008-222 and the former employees of Ted Baker Canada and Fashion Canada are eligible to receive payments under and in accordance with WEPPA following the termination of their employment.


GENERAL

5. **THIS COURT ORDERS** that the Applicants or the Monitor may from time to time apply to this Court to amend, vary or supplement this Order or for advice and directions in the discharge of their respective powers and duties hereunder.

6. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this Order and to assist the Applicants, the Foreign Representative, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicants, to the Foreign Representative and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicants, the Foreign Representative and the Monitor and their respective agents in carrying out the terms of this Order.

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7. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of
12:01 a.m. Eastern Standard/Daylight Time on the date of this Order.

 Digitally signed
by Jana Steele
Date: 2024.08.01
10:25:32 -04'00'

(Signature of judge, officer or registrar)

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

COURT FILE NO. CV-24-00718993-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF TED BAKER CANADA INC.,
TED BAKER LIMITED, OSL FASHION SERVICES CANADA INC., and OSL FASHION SERVICES, INC.

Applicants

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceeding commenced at Toronto

ORDER
(Stay Extension and WEPPA Declaration)

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