COURT OF QUEEN'S BENCH FOR SASKATCHEWAN IN BANKRUPTCY AND INSOLVENCY

JUDICIAL CENTRE	SASKATOON	
APPLICANT	BANK OF MONTREAL	
RESPONDENTS		
	MORRIS INDUSTRIES LTD.) Court Number: BKY 85 of 2021) Estate Number:
	MORRIS SALES & SERVICE LTD.) Court Number: BKY 85 of 2021) Estate Number:
	CONTOUR REALTY INC.) Court Number: BKY 85 of 2021) Estate Number:
	101098672 SASKATCHEWAN LTD.) Court Number: BKY 85 of 2021) Estate Number:
	MORRIS INDUSTRIES (USA) INC.) Court Number: BKY 85 of 2021) Estate Number:

IN THE MATTER OF THE BANKRUPTCY OF MORRIS INDUSTRIES LTD., MORRIS SALES & SERVICE LTD., CONTOUR REALTY INC., 101098672 SASKATCHEWAN LTD. and MORRIS INDUSTRIES (USA) INC.

Before the Honourable Mr. Justice R.W. Elson in the Court of Queen's Bench for Saskatchewan in Bankruptcy, in Chambers, at the Court House, 520 Spadina Crescent East, Saskatoon, Saskatchewan, on March 26, 2021.

Upon the Application of Mike Russell and Ryan Algar, lawyers on behalf of Bank of Montreal ("BMO"), and upon hearing from Mike Russell on behalf of BMO, and counsel present on behalf of any other interested parties; and upon reading the petition of BMO, the Applicant Creditor, including the Affidavit of Sandy Hayer, filed; and upon reading and the Claims Process Order granted by the Honourable Mr. Justice R.S. Smith in Q.B. No. 1884 of 2019, under the *Companies' Creditors Arrangement Act*, on January 16, 2020 (the "Claims Process Order"); and it appearing to the Court that the following acts of bankruptcy have been committed by the Respondents, Morris Industries Ltd., Morris Sales & Service Ltd., 101098672 Saskatchewan Ltd. and Morris Industries (USA) Inc. (collectively, the "Debtors"), namely, each of the Debtors has, within the six months preceding the date of the filing of the Application for a Bankruptcy Order, committed the following acts of bankruptcy pursuant to subsections 42(1)(f) and 42(1)(j) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (the "BIA"), respectively:

- (a) each of the Debtors has exhibited to its creditors that it is insolvent; and
- (b) each of the Debtors has ceased to meet its liabilities generally as they become due.

The Court orders:

- Each of the Debtors shall be and is hereby adjudged bankrupt and a bankruptcy order is hereby made against each of the Debtors.
- 2. Alvarez & Marsal Canada Inc. shall be and is hereby appointed as Licensed Insolvency Trustee of the estate of each of the Debtors (the "Trustee").

- 3. The Claims Process Order shall govern and shall be fully determinative of any and all Claims (as that term is defined in the Claims Process Order) which would otherwise ordinarily be subject to determination in these proceedings, such that:
 - (a) all Claims have been fully and finally determined pursuant to the Claims Process Order;
 - (b) no creditor shall be required to (and no creditor may) complete and submit a proof of claim to the Trustee in regard to such Claims; and
 - (c) the Trustee shall be and is hereby relieved of any and all obligations pursuant to section 135 of the BIA.
- 4. The costs of the Applicant Creditor shall be paid out of the estates of the bankrupt Debtors, subject to the right of taxation thereof.
- 5. Service of this Order upon each of the Debtors by delivery to Alvarez & Marsal Canada Inc., in its capacity as Monitor in the proceedings under the *Companies' Creditors Arrangement Act* in Q.B. 1884 of 2019, shall be good, valid and sufficient.
- 6. The Bankruptcy Application herein in regard to Contour Realty Inc. shall be and is hereby adjourned, *sine die*, to be brought back before The Honourable Mr. Justice R.S. Smith on seven days' notice.



(Deputy) Local Registrar

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