

**ONTARIO**

**SUPERIOR COURT OF JUSTICE**

**COMMERCIAL LIST**



THE HONOURABLE MR

)

MONDAY, THE 29<sup>th</sup>

JUSTICE HAINEY

)

DAY OF MAY, 2017

)

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 EXPRESS FASHION APPAREL  
CANADA INC. AND EXPRESS CANADA GC GP, INC.

Applicants

**STAY EXTENSION AND INITIAL ORDER AMENDMENT ORDER**

THIS MOTION, made by Express Fashion Apparel Canada Inc. and Express Canada GC GP, Inc. (together, the "**Applicants**"), pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. c-36, as amended (the "**CCAA**") for an order, *inter alia*, (i) extending the Stay Period (as defined in paragraph 14 of the Initial Order of the Ontario Superior Court of Justice (Commercial List) dated May 4, 2017 (the "**Initial Order**")), and (ii) amending paragraph 10(a) of the Initial Order, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion of the Applicants, the Affidavit of Todd Painter sworn May 23, 2017, including the exhibits thereto, the Second Report of Alvarez & Marsal Canada Inc., in its capacity as Monitor (the "**Monitor**") dated May 25, 2017, filed, and on hearing the submissions of respective counsel for the Applicants, the Monitor, The Cadillac Fairview Corporation Limited, Morguard Investments Limited, Ivanhoe Cambridge Inc., Brookfield Properties (PI) Inc., Oxford Properties Group, and such other counsel as were present, no one else

appearing although duly served as appears from the Affidavit of Service of David Rankin sworn May 24, 2017:

**SERVICE**

1. THIS COURT ORDERS that the time for service of the Notice of Motion and the Motion Record herein is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

**EXTENSION OF STAY PERIOD**

2. THIS COURT ORDERS that the Stay Period (as defined in paragraph 14 of the Initial Order) is hereby extended until and including September 29, 2017.

**AMENDMENT TO INITIAL ORDER**

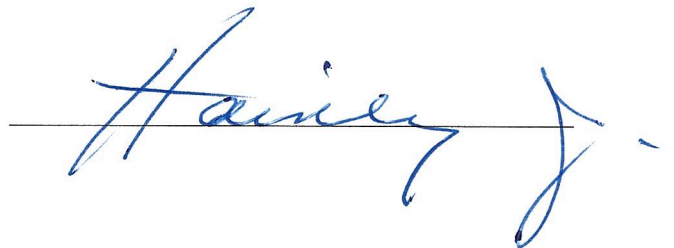
3. THIS COURT ORDERS that paragraph 10(a) of the Initial Order is amended to read as follows:

- (a) permanently or temporarily cease, downsize or shut down any of their respective businesses or operations, and to dispose of redundant or non-material assets not exceeding \$50,000 in any one transaction or \$250,000 in the aggregate, provided that, with respect to any leased premises, the Express Canada Entities may permanently but not temporarily cease, downsize or shut down unless provided for in the applicable lease;

ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO:

MAY 29 2017

PER / PAR:



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

Court File No: CV-17-11785-00CL

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT  
OF EXPRESS FASHION APPAREL CANADA INC. and EXPRESS  
CANADA GC GP, INC.**

	<p><b>ONTARIO</b> <b>SUPERIOR COURT OF JUSTICE</b> <b>(COMMERCIAL LIST)</b></p> <p>PROCEEDING COMMENCED AT TORONTO</p>
	<p><b>STAY EXTENSION AND INITIAL ORDER AMENDMENT ORDER</b></p>
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Lawyers for the Applicants