

2019

SUPREME COURT  
OF NOVA SCOTIA  
SEP 10 2019  
HALIFAX, N.S.

Province of Nova Scotia  
Division No. 01-Halifax  
Court No. 43211  
Estate No. 51-2498985



**IN THE SUPREME COURT OF NOVA SCOTIA  
IN BANKRUPTCY**

**IN THE MATTER OF THE BANKRUPTCY OF  
WHITESIDE CAPITAL CORPORATION**

**ORDER  
(Re: Transfer of Proceedings)**

Sgd.  
DAJ, J. **BEFORE THE HONOURABLE JUSTICE DARLENE JAMIESON**

**UPON MOTION**, in the proceedings of Whiteside Capital Corporation (“**Whiteside**”) under the *Bankruptcy and Insolvency Act* (Canada) (“**BIA**”), by Ernst & Young Inc. (“**EY**”), in its capacity as the trustee in bankruptcy of Whiteside (the “**Trustee**”) for an order transferring the jurisdiction of the proceedings to the Ontario Superior Court of Justice (Commercial List) (the “**Ontario Court**”).

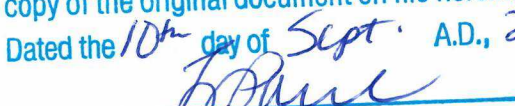
**UPON READING** the Second Report of the Trustee dated August 26, 2019;

**AND UPON HEARING** the submissions of counsel to the Trustee, Representative Counsel of the Affected Users and such other individuals who appeared and were heard on the Motion;

**IT IS HEREBY ORDERED AND DECLARED THAT:**

**Service**

1. If necessary, the time of service of the Notice of Motion and the Motion Record and supporting documents are hereby abridged and service is hereby deemed adequate notice so that the Motion is properly returnable today and that any further service of the Notice of Motion and the Motion Record is hereby dispensed with.

**IN THE SUPREME COURT OF NOVA SCOTIA**  
I hereby certify that the foregoing document,  
identified by the Seal of the Court, is a true  
copy of the original document on file herein.  
Dated the 10<sup>th</sup> day of Sept. A.D., 2019  
  
Deputy Prothonotary

### **Transfer of the Proceedings**


2. These proceedings under the BIA in respect of Whiteside (the “**BIA Proceedings**”) shall be transferred from the Supreme Court of Nova Scotia to the Ontario Court and the new district of administration for the BIA Proceedings shall be Ontario. The Ontario Court may seize any matter related to or ancillary to the BIA Proceedings.

3. The Registrar of the Supreme Court of Nova Scotia shall, in accordance with Rule 10 of the BIA General Rules, send the court files in relation to the BIA Proceedings to the Registrar of the Ontario Court.

### **General**

4. The aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction outside of Nova Scotia, including the United States, is requested to give effect to this Order and to assist the Applicants, the Trustee 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 and the Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order, or to assist the Applicants and the Trustee and their respective agents in carrying out the terms of this Order.

Dated this 10<sup>th</sup> day of September, 2019.

  
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Deputy Prothonotary  
**LAUREL PAUL**  
Deputy Prothonotary