

**THE QUEEN'S BENCH
WINNIPEG CENTRE**

**IN THE MATTER OF THE RECEIVERSHIP OF
NYGÅRD HOLDINGS (USA) LIMITED, NYGARD INC.,
FASHION VENTURES, INC., NYGARD NY RETAIL, LLC,
NYGARD ENTERPRISES LTD., NYGARD PROPERTIES LTD.
4093879 CANADA LTD., 4093887 CANADA LTD., AND
NYGARD INTERNATIONAL PARTNERSHIP**

**RICHTER ADVISORY GROUP INC.
EIGHTH REPORT OF THE RECEIVER**

SEPTEMBER 28, 2020

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I. INTRODUCTION

1. On March 18, 2020 (the “**Appointment Date**”), pursuant to an order (the “**Receivership Order**”) of the Court of Queen’s Bench (Winnipeg Centre) (the “**Manitoba Court**”) made in Court File No. CI 20-01-26627 (the “**Canadian Proceedings**”), Richter Advisory Group Inc. (“**Richter**”) was appointed as receiver (in such capacity, the “**Receiver**”) of the assets, undertakings and properties (the “**Property**”) of Nygård Holdings (USA) Limited, Nygard Inc., Fashion Ventures, Inc., Nygard NY Retail, LLC (collectively, the “**US Debtors**”), Nygard Enterprises Ltd. (“**NEL**”), Nygard International Partnership (“**NIP**”), Nygard Properties Ltd. (“**NPL**”), 4093879 Canada Ltd., and 4093887 Canada Ltd. (collectively, the “**Canadian Debtors**”) (the US Debtors and the Canadian Debtors together, the “**Nygar Group**” or the “**Debtors**”) to exercise the powers and duties set out in the Receivership Order, pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, (the “**BIA**”) and section 55 of *The Court of Queen’s Bench Act*, C.C.S.M. c.C280.
2. The Receivership Order was granted pursuant to an application made by White Oak Commercial Finance, LLC, (the “**Agent**”) as administrative agent and collateral agent for and on behalf of White Oak and Second Avenue Capital Partners, LLC (collectively, the “**Lenders**”) pursuant to security held by the Lenders in the Property of the Debtors provided in connection with a certain loan transaction and a revolving credit facility (the “**Credit Facility**”) provided thereunder.
3. The Credit Facility was provided to the Debtors pursuant to a Credit Agreement dated December 30, 2019 (the “**Credit Agreement**”) and together with other associated documents, the “**Lenders’ Security**”) as defined in, and attached as Exhibit “D” to, the Affidavit of Robert Dean affirmed March 9, 2020 and filed in these proceedings.
4. Also on March 18, 2020, the Receiver, as the duly appointed foreign representative (the “**Foreign Representative**”) of the Debtors, commenced proceedings in the United States Bankruptcy Court for the Southern District of New York (the “**US Court**”) by filing, among other things, petitions on behalf of the Receiver in relation to the Debtors pursuant to sections 1504 and 1515 of the US Bankruptcy Code seeking recognition by the US Court of the Canadian proceedings as a foreign main proceeding (the “**Chapter 15 Proceedings**”). On March 26, 2020, the US Court entered, among other things, a provisional recognition order and, on April 23, 2020, the US Court granted a final order recognizing, among other things, the Canadian Proceedings as the foreign main proceeding. The Canadian Proceedings and the Chapter 15 Proceedings are together hereinafter referred to as the “**Receivership Proceedings**”.
5. On April 29, 2020, the Manitoba Court made various Orders, including an Order (the “**Sale Approval Order**”) which, among other things, approved an agreement (the “**Consulting and Marketing Services Agreement**”)

between the Receiver and a contractual joint venture comprised of Merchant Retail Solutions, ULC, Hilco Merchant Resources, LLC, Hilco IP Services, LLP dba Hilco Streambank, and Hilco Receivables, LLC (collectively, “**Hilco**” or the “**Consultant**”), and White Oak Commercial Finance, LLC, pursuant to which the Consultant will provide certain consulting, marketing and related asset disposition services. In addition, as it appeared that a going concern or “en-bloc” sale of the Nygard Group’s assets was not likely, the Sale Approval Order authorized the Receiver to liquidate the Nygard Group’s retail inventory and owned furniture, fixtures and equipment through temporarily re-opened stores (the “**Liquidation Sale**”), as soon as circumstances permit. As certain details regarding the Liquidation Sale of particular importance to landlords of the Nygard Group’s retail stores (the “**Landlords**”) were not capable of being known with any precision or certainty at that time (given COVID-19 restrictions on non-essential business activities), the Sale Approval Order set out a process that required the Receiver to obtain a further order of the Manitoba Court addressing certain specified matters prior to commencement of the Liquidation Sale.

6. On April 29, 2020, the Manitoba Court made two (2) further Orders: (i) an Order (the “**General Order**”) addressing, among other things, various general matters, including certain amendments to the Receivership Order (limiting the scope of the Receivership Order in relation to the property, assets and undertakings of NEL and NPL) and the procedure for landlord access to properties leased to Nygard Inc. by certain non-Debtor members of the Nygard organization, and (ii) an Order (the “**DEFA Order**”) establishing the protocol for requesting access to and / or production of documents and electronic files purported to be in the possession or control (or subject to the possession or control) of the Receiver by certain non-Debtor members of the Nygard organization or directors, officers and employees of the Nygard Group.
7. On May 13, 2020, Edson’s Investments Inc. (“**Edson’s**”) and Brause Investments Inc. (“**Brause**” and collectively, the “**Gardena Landlords**”) filed a notice of motion (the “**Gardena Motion**”) with the Manitoba Court for an order requiring the Receiver to (i) pay occupancy rent and maintain the California Properties (as hereinafter defined) in accordance with the leases thereof and (ii) to advise the Gardena Landlords of its intentions regarding the occupancy of the California Properties by no later than May 31, 2020, or in the alternative, an order lifting of the stay of proceedings granted by the Manitoba Court in these proceedings so that the Gardena Landlords may terminate the California Properties Leases for failure of the Receiver to pay occupancy rent and retake possession of the California Properties. The Gardena Motion, which was originally scheduled to be heard by the Manitoba Court on August 10, 2020, was rescheduled to be heard on September 14, 2020, however the Gardena Motion did not proceed as a result of the E/B Settlement Agreement, which was dealt with in the Receiver’s seventh report dated September 10, 2020.

8. On June 2, 2020, as required by the Sale Approval Order and in anticipation of commencing the Liquidation Sale where permitted to do so (taking into consideration local public health orders and related COVID-19 restrictions), the Manitoba Court made an Order (the “**Landlord Terms Order**”) addressing certain Landlord matters in relation to the conduct of the Liquidation Sale.
9. On June 30, 2020, the Manitoba Court made an Order (the “**Notre Dame Approval and Vesting Order**”) approving, among other things, the sale of certain NPL real property located at 1300, 1302 and 1340 Notre Dame Avenue and 1440 Clifton Street (the “**Notre Dame Property**”) in Winnipeg, Manitoba.
10. On June 30, 2020, the Manitoba Court also made an Order (the “**Dillard’s Settlement Approval Order**”) approving, among other things, the terms of an agreed Settlement Agreement and Release of Claims between the Receiver and Dillard’s Inc.
11. On August 10, 2020, the Manitoba Court made an Order (the “**Niagara Approval and Vesting Order**”) approving, among other things, the sale of certain NPL real property located at 1 Niagara Street in Toronto, Ontario (the “**Toronto Property**”).
12. On September 15, 2020, the Manitoba Court made an Order (the “**E/B Settlement Approval Order**”) approving, among other things, the terms of a settlement agreement (the “**E/B Settlement Agreement**”) between the Receiver, the Gardena Landlords, the Lenders, NPL, and Peter Nygard and other members of the Nygard Organization.
13. In accordance with the Receivership Order, the Receiver has established a website (the “**Receiver’s Website**”) for the purposes of these proceedings at <https://www.richter.ca/insolvencycase/nygard-group>.
14. Copies of the pleadings and other materials filed in the Receivership Proceedings, other than affidavits and appendices sealed by Order of the Manitoba Court, and the various Orders issued by the Manitoba Court are posted to and available for review at the Receiver’s Website.
15. Copies of the pleadings and other materials filed in the Chapter 15 Proceedings, and the various Orders issued by the US Court are also posted to and available for review at the Receiver’s Website.
16. The Receiver has engaged Thompson Dorfman Sweatman LLP (Winnipeg) (“**TDS**”) as its Canadian counsel, and Katten Muchin Rosenman LLP (New York) (“**Katten**”) as its U.S. counsel.

II. PURPOSE OF REPORT

17. The Receiver filed its first report dated April 20, 2020 (the **"First Report"**) and its supplementary first report dated April 27, 2020 (the **"Supplementary First Report"**) in support of the Receiver's motion returnable April 29, 2020. Copies of the First Report and the Supplementary First Report are available on the Receiver's Website.
18. The Receiver filed its second report dated May 27, 2020 (the **"Second Report"**) and its supplementary second report dated May 31, 2020 (the **"Supplementary Second Report"**) in support of the Receiver's motion returnable June 1, 2020 seeking, among other things, the Landlord Terms Order. Copies of the Second Report and the Supplementary Second Report are available on the Receiver's Website.
19. The Receiver filed its third report dated June 22, 2020 (the **"Third Report"**) and its supplementary third report dated June 29, 2020 (the **"Supplementary Third Report"**) in support of the Receiver's motion returnable June 25, 2020 seeking, among other things, the Notre Dame Approval and Vesting Order. A copy of the Third Report and the Supplementary Third Report are available on the Receiver's Website.
20. The Receiver filed its fourth report dated June 27, 2020 (the **"Fourth Report"**) in support of the Receiver's motion returnable June 30, 2020 seeking, among other things, the Dillard's Settlement Approval Order. A copy of the Fourth Report is available on the Receiver's Website.
21. The Receiver filed its fifth report dated July 6, 2020 (the **"Fifth Report"**) in response to the Gardena Landlords' motion returnable August 10, 2020. A copy of the Fifth Report is available on the Receiver's Website.
22. The Receiver filed its sixth report dated August 3, 2020 (the **"Sixth Report"**) in support of the Receiver's motion returnable August 10, 2020 seeking, among other things, the Niagara Approval and Vesting Order. A copy of the Sixth Report is available on the Receiver's Website.
23. The Receiver filed its seventh report dated September 10, 2020 (the **"Seventh Report"**) and its supplementary seventh report dated September 14, 2020 (the **"Supplementary Seventh Report"**) in support of the Receiver's motion returnable September 14, 2020 seeking, among other things, the E/B Settlement Approval Order. A copy of the Seventh Report and the Supplementary Seventh Report are available on the Receiver's Website.
24. The purpose of this report, the Receiver's eighth report (the **"Eighth Report"**), is to provide information to the Manitoba Court in respect of the following:
 - (a) the actions and activities of the Receiver since the Seventh Report;

- (b) the Receiver's interim statement of receipts and disbursements for the period from the Appointment Date to September 19, 2020 (the "**September 19 Interim R&D**");
 - (c) the Records stored at the Inkster Property, the Broadway Property and the California Properties and the Receiver's proposed treatment of Redundant Records (each term as hereinafter defined);
 - (d) an update on the Chapter 15 Proceedings, including as to the Debtors' Motion brought therein to recognize the DEFA Order (the "**DEFA Order Recognition Motion**") and the Stipulation and Agreed Order (the "**DEFA Stipulation Order**") entered on September 22, 2020 in connection therewith; and
 - (e) the fees and disbursements of the Receiver and its counsel.
25. A further purpose of this Eighth Report is to provide the Manitoba Court with an evidentiary basis for an Order requested in the Document Transfer, Abandonment and Destruction Authorization Motion (the "**Document Transfer Motion**"):
- (a) approving this Eighth Report and the actions / activities of the Receiver described herein;
 - (b) confirming that, in accordance with the E/B Settlement Agreement, the Receiver is authorized to abandon and leave in the California Properties all documents, other physical records, and other property located therein (the "**Gardena Records**") at the time of the surrender of possession of the California Properties;
 - (c) directing and authorizing the transfer, if so requested by the Debtors, of the Redundant Records (as hereinafter defined) located at certain real property owned by NPL at 1771 Inkster Boulevard in Winnipeg, Manitoba (the "**Inkster Property**") and 702 & 708 Broadway Avenue in Winnipeg, Manitoba (the "**Broadway Property**") to the party or parties (the "**Transferee**") to be identified by counsel for the Debtors;
 - (d) authorizing and empowering the Receiver to abandon, destroy or otherwise dispose of the Redundant Records in the event that the Transferee does not remove the Redundant Records from Inkster Property and Broadway Property within a prescribed time period;
 - (e) approving the September 19 Interim R&D; and
 - (f) approving the fees and disbursements of the Receiver, TDS and Katten in the amounts set out in this Eighth Report.

III. TERMS OF REFERENCE

26. In preparing this Eighth Report, the Receiver has relied upon information and documents prepared by the Debtors and their advisors, including unaudited, draft and / or internal financial information, the Debtors' books and records, discussions with representatives of the Debtors, including current and former employees, executives and / or directors, legal counsel to Mr. Peter Nygard and certain related non-Debtor entities, the Lenders and their legal counsel, and information from third-party sources (collectively, the **"Information"**). In accordance with industry practice, except as otherwise described in the Eighth Report, Richter has reviewed the Information for reasonableness, internal consistency, and use in the context in which it was provided. However, Richter has not audited or otherwise attempted to verify the accuracy or completeness of the Information in a manner that would comply with Generally Accepted Auditing Standards (**"GAAS"**) pursuant to the *Chartered Professional Accountant of Canada Handbook* and, as such, Richter expresses no opinion or other form of assurance contemplated under GAAS in respect of the Information.
27. Parties using this Eighth Report, other than for the purposes outlined herein, are cautioned that it may not be appropriate for their purposes, and consequently should not be used for any other purpose.
28. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Receivership Order.
29. Unless otherwise noted, all monetary amounts contained in this Eighth Report are expressed in Canadian dollars.

IV. ACTIVITIES OF THE RECEIVER

30. The actions / activities of the Receiver since the commencement of the Receivership Proceedings to September 10, 2020 are detailed in the First Report, the Second Report, the Third Report, the Sixth Report and the Seventh Report. Subsequent to the filing of the Seventh Report, the Receiver's activities, certain of which are reported on in further detail later in this Eighth Report, have included:
- (a) maintaining and updating, as necessary, the Receiver's Website, where relevant materials in connection with the Receivership Proceedings are available in electronic format;
 - (b) assisting the Nygard Group in its communications with landlords and suppliers;
 - (c) responding to enquiries from various interested parties, including addressing questions / concerns communicated by parties who contacted the Receiver via the telephone hotline (1.866.737.7587) or email account (nygard@richter.ca) established by the Receiver;

- (d) communicating with employees of the Debtors;
- (e) liaising with Service Canada on claims submitted by former employees of NIP pursuant to the *Wage Earner Protection Program Act* ("WEPPA");
- (f) corresponding with current and former employees of NIP regarding the status of claims and payments under WEPPA;
- (g) communicating with Canada Revenue Agency in connection with its requests to conduct an audit of the Nygard Group's payroll remittance and other tax accounts;
- (h) communicating with the Manitoba Department of Finance in connection with certain amounts claimed to be owed by the Debtors in respect of periods prior to the Appointment Date;
- (i) investigating the activities and conduct of the Debtors and their directors, officers and senior management both prior to and subsequent to the Appointment Date and gathering information as to numerous matters related to such conduct arising in the Receivership Proceedings;
- (j) communicating (through TDS and Katten) extensively with various counsel for Mr. Peter Nygard (and other non-Debtor parties) regarding various matters in connection with the Receivership Proceedings, including requests for access to and searches for certain information / documentation purportedly under or subject to the control of the Receiver, requests for access to certain premises, removal of purported personal property located at the Debtors' real property, including at the Inkster Property, matters related to the scope of the Receivership Order and other matters;
- (k) communicating (through TDS) with counsel to the Gardena Landlords, Peter Nygard and other members of the Nygard Organization in connection with the Gardena Motion and the E/B Settlement Agreement;
- (l) communicating (through TDS and Katten) with counsel to the Debtors and the US Attorney for the SDNY regarding the treatment of the Redundant Records;
- (m) communicating (through TDS and Katten) with the US Attorney for the SDNY regarding the treatment of the Gardena Records;
- (n) communicating through TDS with counsel to the Lenders regarding certain remaining issues as to claims of the Lenders;

- (o) communicating with counsel to certain landlords regarding the Liquidation Sale and the Landlord Terms Order;
- (p) communicating with the Lenders and their counsel, either directly or through TDS and Katten, in connection with the funding and other aspects of the Receivership Proceedings;
- (q) communicating extensively with TDS and Katten in connection with the Receivership Proceedings and the Chapter 15 Proceedings;
- (r) responding to the subpoenas issued to Nygard Inc. by the Grand Jury, Southern District of New York ("**SDNY**");
- (s) communicating with Canadian and US counsel to the Debtors, counsel to the Gardena Landlords and the Grand Jury prosecutors for the SDNY in respect of the DEFA Recognition Motion, the Response of the Foreign Representative (as hereinafter defined) and the Stipulation);
- (t) communicating extensively with the Consultant and counsel in connection with matters relating to the Liquidation Sale, the collection of accounts receivable, the sale of the intellectual property, and the disposition of wholesale inventory located in Gardena, California at 312 and 332 East Rosecrans Avenue, 14401 South San Pedro Street, and 14421 South San Pedro Street (collectively, the "**California Properties**");
- (u) attending to various litigation matters in Canada and the US;
- (v) investigating and considering next steps regarding certain Nygard Group vehicles in the possession of or purportedly transferred to certain (now former) Nygard Group employees prior to the Appointment Date;
- (w) follow up matters relating to certain real property located at Falcon Lake, Manitoba described as Lot 15 Block 11 Plan 1903 Falcon Lake (leased pursuant to Manitoba Crown Lands and Property Agency Lease No. PVHL 66978) and Lot 17 Block 11 Plan 1903 Falcon Lake (leased pursuant to Manitoba Crown Lands and Property Agency Lease No. PVHL 5208) and the buildings and structures affixed thereto;
- (x) continuing to address the matter of the recovery of electronic files deleted through the use of the accounts of certain (now former) Nygard Group employees on the date of, or following the commencement of proceedings for, the appointment of the Receiver;

- (y) communicating with Colliers International and TDS with respect to the sale and marketing of the Inkster Property and the Broadway Property;
- (z) monitoring the Debtors' cash receipts and disbursements, and providing funding to the Debtors to pay their post-filing obligations as set out herein;
- (aa) recording receipts and disbursements, including the preparation of the September 19 Interim R&D;
- (bb) preparing this Eighth Report; and
- (cc) other matters in connection with the administration of the Receivership Proceedings.

The Liquidation Sale

31. The Liquidation Sale was completed on September 27, 2020. As at the date of the Eighth Report, the Receiver had vacated, on behalf of the Debtors, 130 of the Nygard Group's retail stores. The Receiver expects that all of the Debtors' remaining 35 retail stores will be vacated and surrendered to the respective landlord by no later than September 29, 2020, at which point the Debtors will no longer maintain any leases for retail stores in Canada.
32. In accordance with the Landlord Terms Order, the Receiver delivered, on behalf of the Debtors, notices of repudiation to each landlord at least fifteen (15) days notice prior to the effective surrender date. On the effective surrender date for each closing store, the Receiver also emailed each landlord to confirm the surrender and vacation of the applicable closing store as set out in the applicable notice of repudiation. As at the date of this Eighth Report, the Receiver notes it has not received any formal objections to any of the notices of repudiation from any of the landlords.

Employees

33. As at the Appointment Date, the Debtors employed approximately 1,550 individuals (approximately 1,450 of which had been advised by the Nygard Group that they had been laid off prior to the Appointment Date) across Canada and the US, the majority of which were employees working at the Debtors' retail stores in Canada.
34. The Receiver notes that since the Appointment Date approximately 800 retail store employees and 60 corporate employees of NIP were recalled from temporary furlough or hired to assist with the Liquidation Sale. NIP maintained the majority of its workforce at its retail stores up to the effective surrender date for the applicable store. Employees were paid in the ordinary course up to the last day worked for their respective store, including any vacation accrued subsequent to the Appointment Date. Upon issuance of a notice of repudiation for a

particular store, NIP provided written notice of termination to employees at the applicable store, which notice period the Receiver understands was generally between 10 and 15 days.

35. Subsequent to an employee's termination, NIP issued a record of employment on behalf of the employee and worked with the Receiver to provide the information necessary for the Receiver to comply with the provisions of WEPPA for terminated employees in Canada. As at the date of this Eighth Report, the Debtors continue to employ approximately 315 individuals, of which approximately 300 are located in Canada. The majority of these employees have already received notices of termination, with the last day being on or about September 29, 2020.
36. Given the scale of the Debtors operations and the number of affected employees, the Receiver has submitted applications to Service Canada in respect of employee entitlements pursuant to WEPPA on a periodic basis, generally within 30 days of an employee's termination. As at the date of this Eighth Report, the Receiver had submitted approximately 650 applications to Service Canada in respect of employee entitlements pursuant to WEPPA. The Receiver will continue to attend to the administration of WEPPA in accordance with its duties.

V. INTERIM STATEMENT OF RECEIPTS AND DISBURSEMENTS

37. The September 19 Interim R&D is summarized as follows:

Nygard Group Interim Statement of Receipts and Disbursements For the Period March 18, 2020 - September 19, 2020 (in 000s)			(\$CAD)
		Notes	
Cash on Hand - March 18	73	1	
Receipts			
Accounts Receivable, Real Estate and Other Collections	37,084	2	
Sales Receipts	42,635	3	
Receiver's Borrowings	30,082	4	
Total Receipts	109,801		
Disbursements			
Payroll	11,065	5	
Rent	5,972	6	
Utilities / Operating Expenses / Other	2,026		
Insurance	834	7	
Postage / Courier / Logistics Providers	1,290	8	
Asset Protection Services	327	9	
Chargebacks / Returns / Bank Fees	451	10	
Consultant Fees	2,574	11	
Professional Fees	4,323	12	
Receivers' Sales Taxes	375	13	
Debtors' Sales Taxes	2,497	14	
Total Disbursements	31,735		
Excess of Receipts over Disbursements	78,065		
Distribution to Lenders	(66,048)	15	
Cash on Hand - September 19	12,090		
Notes:			
1 Represents cash in the Debtors' bank accounts on or about the Appointment Date.			
2 Represents the collection of accounts receivable including sales tax, the sale of IP, the sale of real estate, and other miscellaneous receipts. Certain amounts collected after April 30, 2020 are subject to a fee by Hilco.			
3 Represents receipt from ecommerce sales, retail store sales, and the sale of FF&E including sales taxes.			
4 Receiver's Borrowings funded via Receiver's Certificates issued to the Lenders. The actual amount owing on the Receiver's Certificates may vary slightly from the numbers presented herein due to foreign exchange.			
5 Represents gross wages, expenses and benefits paid to the Debtors' employees, as well as employee health and dental benefits. Amounts also include pre-filing wages paid.			
6 Represents rent paid to landlords in accordance with the Landlord Terms Order and rent paid to a distribution centre located in Woodbridge, Ontario.			
7 Payment of insurance premiums since the Appointment Date including annual premiums for the period ending May 31, 2021 and June 30, 2021.			
8 Represents deposits and payments paid to logistics providers for the transport of goods.			
9 Represents costs incurred for security services at various Debtors' locations.			
10 Represents bank charges, credit card chargebacks and related amounts.			
11 Represents fees and expenses paid to the Consultant in accordance with the Consulting and Marketing Agreement.			
12 Represents the fees, disbursements of the Receiver, TDS and Katen paid by the Receiver. Amounts include payment for certain fees and disbursements incurred prior to the Appointment Date.			
13 Consists of net sales taxes paid on disbursement by the Receiver. This amount excludes sales taxes paid on disbursements by the Debtors.			
14 Consists of sales taxes paid by the Debtors after the Appointment Date.			
15 Pursuant to the Receivership Order, the Receiver is authorized to remit to the Lenders any and all proceeds from the Property. This is consistent with the operations of the Credit Facility prior to the granting of the Receivership Order. Balance includes interest and fee payments on the Credit Facility Indebtedness and the Receiver's Borrowings of approximately USD \$1.1 million, in accordance with the Term Sheet and the Credit Agreement. Balance also includes \$0.7 million in fees relating to the Lender's Holdback as provided for pursuant to the Receiver Term Sheet. The Receiver notes that the Lenders returned approximately \$1.0 million to the Receiver relating to excess funds held by the Lenders, as noted in the Seventh Report. These funds were applied against the Distribution to Lenders balance shown above.			

- (a) pursuant to the provisions of the Receivership Order, the Debtors' cash management system (the "**Cash Management System**"), as described in detail in the March 9 Dean Affidavit, continued to operate in the normal course without material change from the Appointment Date until September 4, 2020. The Debtors' primary banking accounts utilized in the Cash Management System are held at BMO (the "**BMO Accounts**") and the Bank of America (the "**BOA Accounts**"). In addition to the BMO Accounts and the BOA Accounts, the Receiver has opened at BMO two (2) additional estate accounts (the "**Estate Accounts**", and together with the BMO Accounts and the BOA Accounts, the "**Receivership Accounts**"). As discussed below, on September 4, 2020, the Receiver altered the Cash Management System such that all future proceeds from the Property will accumulate in the Receivership Accounts. The Interim R&D includes the combined receipts and disbursements in the Receivership Accounts as well as receipts applied directly against the Credit Facility or Receiver's Borrowings;
 - (b) as shown in the September 19 Interim R&D, receipts totaled approximately \$109.8 million, comprised of approximately \$37.1 million related to the collection of accounts receivable, real estate sales, wholesale inventory, IP sales, building sales and other miscellaneous receipts, \$42.6 million related to the collection of retail store, e-commerce and FF&E sales, and \$30.1 million related to the Receiver's Borrowings;
 - (c) disbursements during the period of the September 19 Interim R&D, totaled approximately \$31.8 million and primarily consisted of payroll and source deductions, rent, operating disbursements, consultant fees and professional fees; and
 - (d) pursuant to the terms of the Receivership Order and the Receiver Term Sheet, and consistent with the operation of the Credit Facility before the commencement of the Receivership Proceedings, the Receiver Term Sheet and the Receivership Order, proceeds from the Property, totaling approximately \$66.0 million, were distributed to the Lenders. The Receiver notes that on September 11, 2020, the Lenders returned approximately \$1.0 million to the Receiver relating to excess funds held by the Lenders, as noted in the Seventh Report.
38. As noted above, the Liquidation Sale was completed on September 27, 2020, which will significantly impact the Debtors' ability to generate additional cash receipts going forward. The Receiver notes that there are significant accrued costs related to the Liquidation which have been incurred but have not yet been paid due to normal course timing. While the precise quantum of these unpaid costs is unknown as this time, the Receiver estimates that there are approximately \$5.5 million in accrued costs relating to payroll and vacation pay costs (including applicable government remittances), sales taxes, operating expenses, rent and fees owing to the Consultant.

The Receiver further notes that the Debtors will continue to incur expenses in connection with the Debtors' operations in California and Manitoba, as well as the administration of the Receivership Proceedings.

39. As noted in the Sixth Report and the Seventh Report, the Receiver has set aside a reserve to satisfy potential priority claims which, to the best of the Receiver's knowledge, total approximately \$2.1 million (the "**Potential Priority Claims Reserve**"). The Potential Priority Claims Reserve is included in the cash on hand balance shown in the table above.
40. As noted in the Seventh Report, the Receiver and Lenders are currently in discussions on a final reconciliation of the Receiver's Borrowings (including accrued interest, fees, etc.) and any remaining obligations under the Credit Agreement and will report further to the Manitoba Court once it has completed its review on these residual amounts

VI. DOCUMENT TRANSFER MOTION

Overview of the Debtors' Records

41. The business of the Nygard Organization, including the Debtors, appears to have been centrally administered in terms of common physical and electronic file storage, servers, systems and networks. As noted in the First Report, the Nygard Organization's IT system comprises 213 servers containing more than 200 terabytes of data (the "**IT System**"). The Receiver understands that while certain of the Debtors' offices and facilities contained local servers and equipment, the Debtors' central IT network was located at the Inkster Property. The IT System is housed in an approximately 140 sqft room at the Inkster Property, which contains four 7 ft server racks, multiple air conditioning units and hundreds of cables connecting the various components.
42. Given the size and scale of the Nygard Organization, the IT System is a relatively complex network that was developed over a number of years and cannot be easily duplicated or replaced, at least not in the near term. Further, the Receiver understands the IT System is relatively antiquated with many of the servers at or near end of life in terms of operability and/or storage space, therefore "unplugging", dismantling and moving the IT System carries a high degree of risk of impairment to the functionality of the IT System.
43. In addition to the IT System, the Nygard Organization, including but not limited to the Debtors, maintained numerous physical records, such as books, documents, securities, contracts, orders, bills of lading, corporate and accounting records, correspondence, marketing and promotional materials, personnel files, tax papers, time sheets, and other papers, records and hardcopy information (collectively, the "**Physical Records**") at some or all of their leased or owned real property.

44. The Receiver understands the Debtors did not have any formal data archival or retention policies and as such, it appears that the Physical Records were stored at the Debtors' facilities for an indefinite period. Based on the Receiver's limited review, the Receiver notes the Debtors did not maintain a detailed centralized cataloging or repository system to track and identify the Physical Records across the various facilities, but rather a localized system of general or high level descriptions, if any, of boxes stored at each site. Further, the Receiver understands the Debtors did not utilize any third-party document management and storage companies to store any of the Physical Records.
45. Certain physical records, generally comprising localized stock, sales, employee scheduling information, employee manuals, bank deposit slips and store closing reports for the prior 18 month period were maintained and stored by the Debtors at leased retail stores, which records have been removed and destroyed by the Receiver in connection with the vacation of the retail stores as the Liquidation Sale was completed.

Litigation Matters

46. As noted in the First Report, the Debtors are involved in numerous litigation actions, either as plaintiffs or defendant, in Canada and the US, all of which were commenced prior to the Appointment Date. Certain of these actions in the US contain requirements to retain and preserve physical and electronic documents and any other materials relating to Peter Nygard, certain of the Debtors and/or certain non-Debtors within the Nygard Organization.
47. The Receiver has received regular updates from TDS (regarding actions commenced in Canada) and Katten (regarding actions in the US), including but not limited to the following:
- (a) proceedings commenced in the United States District Court for the SDNY in connection with grand jury subpoenas issued to Nygard Inc.;
 - (b) class action lawsuit *Jane Does 1-57 v. Nygard, et al* filed in the United States District Court for the SDNY (the "**Class Action**"), making certain allegations of sexual assault and aiding and abetting in a sex-trafficking scheme;
 - (c) actions by and against Mr. Louis Bacon, involving racketeering, defamation and related claims;
 - (d) a claim from NIP against Patrick Prowse and Dana Neal, two former NIP employees, along with the Canadian Broadcasting Corporation ("**CBC**"), David Studer and Timothy Sawa (Manitoba Court of Queen's Bench File No. 09-01-60400);

- (e) a defamation claim from Peter Nygard, along with NIP, against CBC (Manitoba Court of Queen's Bench File No. 12-01-77287) relating to a news story broadcast by the CBC on the Fifth Estate program in April 2010; and
 - (f) a copyright infringement claim from NIP against the CBC related to the above-noted Fifth Estate story (Federal Court of Canada File T-404-12).
48. The Receiver has served all parties on the service list for the Canadian Proceedings, and all parties disclosing email addresses on the service list for the Chapter 15 Proceedings, with notice of the Document Transfer Motion including those parties to the actions noted above as well as other pending actions of which the Receiver is currently aware.

Receiver's Activities Since Appointment Date

49. Since the Appointment Date, a number of retail stores, leased or owned warehouses, and leased or owned offices of or used by the Debtors have been vacated. Prior to the exit of any of these facilities, the Debtors' employees, under the oversight of the Receiver, used reasonable efforts to pack and ship the majority of the Debtors' onsite records, including hard drives from local computers and servers (collectively, "**Hard Drives**" and together with the IT System and the data stored thereon or accessible thereby, the "**Electronic Records and Storage Equipment**") back to the Inkster Property, save and except for primarily marketing/promotional material, past shipping/logistics-related documents and other obsolete material which were abandoned or destroyed on site.
50. As at the date of this Eighth Report, the Receiver understands the Physical Records are packed in over 5,100 boxes, of which approximately 5,050 are located at either the Inkster Property or the Broadway Property.
51. As noted above, the Receiver, on behalf of the Debtors, will have vacated all of NIP's retail locations by September 30, 2020 such that the Debtors only remaining occupied facilities will include the Inkster Property, the Broadway Property and the California Properties.
52. Although the Inkster Property and the Broadway Property have not yet been sold, the Receiver has been actively marketing both properties and, as noted in the Second Report, the Receiver accepted a conditional offer on the Inkster Property, which it continues to advance with the prospective purchaser. As such, in anticipation of the future sales of the Inkster Property and the Broadway Property, the Receiver requires that the Physical Records and Electronic Records and Storage Equipment (collectively, the "**Records**") no longer required by the Receiver for the Receivership Proceedings (the "**Redundant Records**") be removed from the properties.

53. Given the quantity of Physical Records, the cost for third-party storage and access, as well as professional fees and administrative costs related thereto, would be very substantial. Additionally, the cost for third-party hosting of the IT System and access to the Electronic Records and Storage Equipment would also be very substantial, assuming the migration of the IT System could even be completed given the complexity of the IT System, the network and the length of time that such a migration process would require. As such, the Receiver is of the view that it is not in the interests of stakeholders in the Receivership Proceedings to incur the costs associated with the storage and retention of the Redundant Records.
54. The Receiver intends to retain selected financial, payroll, human resource and other Records required for its administration and completion of the Receivership Proceedings, including Records required to review and assess the claims of unsecured creditors of the Debtors. The Receiver is also in the process of creating a copy of certain “user-generated” electronic records stored on the IT System so that the copied information can be accessed by the Receiver in the future, if required, for the ongoing purposes of the Receivership Proceedings.
55. While the Receiver has not conducted an exhaustive review of the Records, the Receiver is of the view that the majority of the Records will not be required to administer the Receivership Proceedings going forward. For example, approximately 2,300 boxes of the Physical Records contain marketing and promotional materials, retail register receipts, bank deposit slips, and historical bank statements, and over 100 terabytes of the Electronic Records and Storage Equipment contain high resolution images that the Receiver understands were used by the Debtors for historical marketing programs, none of which would be required for the go forward administration of the Debtors’ estates.
56. The Debtors have indicated that they may be interested in regaining possession and control of the Redundant Records.
57. The Receiver is seeking an Order from the Manitoba Court to deal with matters respecting the treatment of Redundant Records.

Document Transfer/Abandonment/Destruction Authorization Order

58. In consideration of the view of the Receiver that the Redundant Records will not be required by the Receiver to administer the Receivership Proceedings, but that the Debtors could have an interest in retention of the Redundant Records for litigation or other purposes, the Receiver has developed a proposed process (the “**Document Transfer Process**”) to deal with the transfer of the Redundant Records to the Debtors, subject to approval by the Manitoba Court, as follows:

- (a) at the request (the “**Request**”) of Levene Tadman Golub LLP (“**LTG**”), as counsel to the Debtors, the Receiver is authorized but not obligated to transfer possession of the Redundant Records to a Debtor or Debtors (the “**Transferee**”) to be identified by LTG;
 - (b) LTG is to identify the Transferee on or before October 10, 2020;
 - (c) the Transferee shall proceed thereafter, within 15 days of receiving written notice from the Receiver (the “**Removal Period**”), to promptly make reasonable arrangements with the Receiver to pick up, at the sole cost of the Transferee, and remove the Redundant Records from the Inkster Property and the Broadway Property;
 - (d) the Receiver shall provide reasonable cooperation, and access to the Inkster Property and the Broadway Property, to facilitate the removal of the Redundant Records but the Receiver shall not be responsible for any of the costs associated with the removal of same, and the Receiver makes no representations and/or warranties as to the functionality of the Electronic Records and Storage Equipment included within the Redundant Records;
 - (e) notwithstanding the making of the Document Transfer Order and the transfer of the Redundant Records to the Transferee, the Receiver shall have the right to make and use copies of any of the Redundant Records;
 - (f) in the event that the Request is not made by October 10, 2020, or having made the Request, the Transferee fails to remove the Redundant Records from the Inkster Property and the Broadway Property within the Removal Period, the Receiver is authorized, but not obligated, to proceed thereafter to abandon, destroy or otherwise dispose of the Redundant Records as it deems appropriate, in its sole discretion. For greater certainty, in such circumstances, the Receiver is authorized, but not obligated, to abandon, destroy or otherwise dispose of Physical Records, hard drives, servers, the IT System and electronic data and files stored thereon or accessible thereby, comprising the Redundant Records; and
 - (g) upon the transfer of the Redundant Records to the Transferee or, failing such transfer, upon the Receiver’s abandonment, destruction or other disposal of the Redundant Records, the Receiver shall be discharged as the Receiver of the Redundant Records.
59. The Receiver believes the Document Transfer Process proposed herein is reasonable and cost efficient in the circumstances and respectfully recommends and requests approval of Document Transfer Process by the Manitoba Court.

Records at the California Properties

60. As at the date of this Eighth Report, the Receiver understands that there are approximately 60 boxes (the **"Gardena Records"**) of Physical Records stored at the California Properties. The Receiver understands the Gardena Records could contain records of Debtors and certain non-Debtors within the Nygard Organization, including the Gardena Landlords.
61. The E/B Settlement Agreement provides that the Receiver shall be entitled to abandon and leave in the California Properties all documents, other physical records and other property, including the Gardena Records, located therein at the time of the respective surrender of possession of the California Properties to the Landlords, subject to such arrangements as may be required to be made with the SDNY for the preservation of certain of the Gardena Records.

VII. UPDATE ON THE CHAPTER 15 PROCEEDINGS

DEFA Order Recognition Motion

62. As noted in the Seventh Report, on September 2, 2020, the Debtors filed the DEFA Order Recognition Motion with the US Court seeking an order recognizing and enforcing the DEFA Order in the Chapter 15 Proceedings and in the United States, suggesting that the Receiver had not complied with the DEFA Order and compelling the Receiver to comply with the terms thereof. The DEFA Order Recognition Motion was scheduled to be heard by the US Court on September 23, 2020.
63. On September 16, 2020, the Receiver, in its capacity as the Foreign Representative, filed its opposition (the **"Response of the Foreign Representative"**) to the DEFA Order Recognition Motion. In the Response of the Foreign Representative, the Receiver noted the DEFA Order Recognition Motion was unclear as to with which subpoena the Debtors take issue. Moreover, the Receiver's production of documents to the SDNY in response to the subpoenas issued complied with the DEFA Order as well as the process agreed to among Katten, US counsel of record for Mr. Nygard, Morvillo Abramowitz Grand Iason & Anello PC (**"Morvillo"**), and the SDNY in June 2020. Accordingly, in the Receiver's view, the DEFA Order Recognition Motion was without merit and should be denied.
64. Also on September 16, 2020, the SDNY sent a letter to the US Court indicating its intention to file a statement of opposition to the DEFA Order Recognition Motion and requested an extension to September 18, 2020 to file its submission, which materials were to be filed with the US Court under seal but with copies provided to the Debtors and the Receiver.

65. On September 17, 2020, Katten, on behalf of the Receiver and following upon discussions with TDS, engaged in discussions with Klestadt Winters Jureller Southard & Stevens, LLP ("**Klestadt**"), US counsel for the Debtors, in connection with a potential resolution to the issues raised in the DEFA Motion. In the result, on September 21, 2020, Katten, Klestadt and LTG, Canadian counsel to the Debtors, agreed to certain terms to be stipulated (the "**Stipulation**") in a "consent" order to be issued, which provided that, among other things:
- (a) the DEFA Order would be recognized by the US Court and be enforceable in the United States;
 - (b) the Receiver would provide copies of any document productions made to the SDNY to date to LTG, as counsel for the Debtors, and Lerner's LLP ("**Lerner's**"), as counsel for and on behalf of the Gardena Landlords;
 - (c) to the extent that Receiver receives any additional subpoenas or other commandment or requirement for the production of documents in any consequent criminal proceedings involving Debtors (collectively, "**Subpoenas**"), the Receiver shall provide a copy of the Subpoenas to LTG and Lerner's to the extent not prohibited by law;
 - (d) to the extent the Receiver makes future additional productions of documents in response to Subpoenas, and only to the extent not otherwise prohibited by law, the Receiver shall provide a copy of such production to LTG and Lerner's seven (7) days prior to making the production commanded or required; and
 - (e) the Receiver has been and shall be entitled to make such productions on the basis that the Receiver will not conduct a privilege review of documents being produced, and the Receiver has no obligation to assert privileges or make objections in response to any Subpoena on behalf of the Debtors.
66. On September 22, 2020, the US Court accordingly entered the DEFA Stipulation Order approving the Stipulation without hearing as no parties of interest objected to the relief sought. Attached hereto as **Appendix "A"** is a copy of the DEFA Stipulation Order.

E/B Settlement Agreement

67. As noted in the Seventh Report, the E/B Settlement Agreement, and the performance of the respective obligations of the parties thereunder, is subject to, among other things, the making of an order in the Chapter 15 Proceedings recognizing, and giving effect in the United States to, the E/B Settlement Approval Order.

68. On September 28, 2020, the Receiver, as Foreign Representative, filed a motion (the “**E/B Settlement Recognition Motion**”) seeking recognition of, and giving effect in the United States to, the E/B Settlement Approval Order. The objection deadline for E/B Settlement Recognition Motion will be set as October 12, 2020.

VIII. PROFESSIONAL FEES AND DISBURSEMENTS

69. The fees and disbursements of the Receiver and TDS for the period from March 16, 2020 to April 12, 2020, and the fees and disbursements of Katten from the period March 1, 2020 to March 24, 2020, were approved by the Manitoba Court as part of the General Order.
70. The fees and disbursements of the Receiver and TDS for the period April 13, 2020 to May 17, 2020, and of Katten for the period from March 25, 2020 to May 8, 2020, were approved by the Manitoba Court as part of the Landlord Terms Order.
71. The fees and disbursements of the Receiver for the period May 18, 2020 to June 14, 2020, of TDS for the period from May 18, 2020 to May 31, 2020, and of Katten for the period from May 9, 2020 to May 31, 2020, were approved by the Manitoba Court as part of the Notre Dame Approval and Vesting Order.
72. The fees and disbursements of the Receiver for the period June 15, 2020 to July 26, 2020, and of TDS for the period June 1, 2020 to July 19, 2020, were approved by the Manitoba Court as part of the Niagara Approval and Vesting Order.
73. The fees and disbursements of the Receiver for the period July 27, 2020 to August 30, 2020, and of TDS for the period July 20, 2020 to August 30, 2020, were approved by the Manitoba Court as part of the E/B Settlement Approval Order.
74. Summaries of the accounts of the Receiver for the period August 31, 2020 to September 20, 2020, of TDS for the period from August 31, 2020 to September 13, 2020, and of Katten for the period from June 1, 2020 to September 18, 2020 are attached hereto as **Appendix “B”**. The detailed narratives of such accounts, redacted for confidential matters and / or commercially sensitive information associated with the Receivership Proceedings, are attached hereto as **Appendix “C”**.
75. The Receiver and TDS have maintained detailed records of their professional time and disbursements incurred in connection with the Nygard Group receivership proceedings.
76. In accordance with the Receivership Order, the Receiver has been authorized to periodically pay its fees and disbursements, and those of its counsel, subject to approval by the Manitoba Court.

77. The Receiver's professional fees incurred for services rendered from August 31, 2020 to September 20, 2020 amount to \$152,763.25, plus disbursements in the amount of \$8,132.31 (each excluding applicable taxes).
78. The fees of the Receiver's counsel, TDS, for services rendered from August 31, 2020 to September 13, 2020 total \$79,399.00 plus disbursements in the amount of \$14,325.09 (each excluding applicable taxes).
79. The fees of the Receiver's counsel, Katten, for services rendered from June 1, 2020 to September 18, 2020 total US\$260,040 plus disbursements in the amount of US\$1,750.46 (each excluding applicable taxes).
80. The Receiver has reviewed the accounts of TDS and Katten and confirms that the services reflected therein have been duly authorized and rendered and that, in the Receiver's opinion, the charges are reasonable.

IX. CONCLUSIONS

81. In consideration of all of the above, the Receiver respectfully requests that the Manitoba Court make an Order:
 - (a) approving this Eighth Report and the actions / activities of the Receiver described herein;
 - (b) confirming that, in accordance with the E/B Settlement Agreement, the Receiver is authorized to abandon and leave in the California Properties the Gardena Records at the time of the surrender of possession of the California Properties;
 - (c) directing and authorizing the transfer of the Redundant Records located at the Inkster Property and the Broadway Property to the Transferee;
 - (d) authorizing and empowering the Receiver to abandon, destroy or otherwise dispose of the Redundant Records in the event that the Transferee does not remove the Redundant Records from Inkster Property and Broadway Property within a prescribed time period;
 - (e) approving the September 19 Interim R&D; and
 - (f) approving the professional fees and disbursements of the Receiver, TDS and Katten in the amounts set out in this Eighth Report.

All of which is respectfully submitted on this 28th day of September, 2020.

Richter Advisory Group Inc.
in its capacity as Receiver of
Nygard Holdings (USA) Limited, Nygard Inc., Fashion Ventures, Inc.,
Nygard NY Retail, LLC, Nygard Enterprises Ltd., Nygard Properties Ltd.,
4093879 Canada Ltd., 4093887 Canada Ltd., any Nygard International Partnership
and not in its personal capacity



Adam Sherman, MBA, CIRP, LIT



Pritesh Patel, MBA, CFA, CIRP, LIT

APPENDIX A

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Jerry L. Hall, Esq.
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Counsel to the Foreign Representative

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

In re:

NYGARD HOLDINGS (USA) LIMITED, et al.,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 20-10828 (SMB)

Jointly Administered

Re: Dkt Nos. 48, 54

**STIPULATION AND AGREED ORDER REGARDING (I) THE FOREIGN DEBTORS'
MOTION TO RECOGNIZE THAT CERTAIN JUNE 25, 2020 ORDER ENTERED BY
THE CANADIAN COURT TITLED “DOCUMENT AND ELECTRONIC FILES ACCESS
ORDER” [DE 57] IN THE FOREIGN MAIN PROCEEDING AND (II) PRODUCTION
OF DOCUMENTS RESPONSIVE TO CERTAIN SUBPOENAS**

This stipulation and agreed order (the “Stipulation”) is entered into by and between Richter Advisory Group Inc. (“Richter” or the “Foreign Representative”), acting solely in its capacity as court-appointed receiver and authorized foreign representative of the above-captioned Debtors,²

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 Registration Number (“CRA”) , are: Nygard Holdings (USA) Limited (FEIN 3048), Nygard Inc. (FEIN 0509), Nygard NY Retail, LLC (FEIN 1672), Fashion Ventures, Inc. (FEIN 0956), Nygard International Partnership (FEIN 1535), Nygard Properties Ltd. (CRA 0003), Nygard Enterprises Ltd. (FEIN 7127), 4093887 Canada Ltd. (FEIN 1534), 4093879 Canada Ltd. (FEIN 1533).

² All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the *The Foreign Debtors’ Motion To Recognize That Certain June 25, 2020 Order Entered By The Canadian Court Titled “Document And Electronic Files Access Order” In The Foreign Main Proceeding And Compelling Richter Advisory Group Inc. To Abide By Its Terms Within The Territorial Limits Of The United States*” [Dkt No. 57] (the “Motion”).

and Nygard Holdings (USA) Limited, Nygard Inc., Nygard NY Retail, LLC, Fashion Ventures, Inc., Nygard International Partnership, Nygard Properties Ltd., Nygard Enterprises Ltd, 40937879 Canada Ltd., and 4093887 Canada Ltd. (collectively the “Debtors”).

WHEREAS on September 4, 2020, the Debtors filed the Motion, seeking entry of an order recognizing a June 25, 2020 Order entered by the Canadian Court titled “*Document and Electronic Files Access Order*” (the “Document Access Order”) in these proceedings and compelling Richter to abide by its terms within the territorial limits of the United States;

WHEREAS, pursuant to its terms the Document Access Order, among other things, (a) established and set out a process allowing for access, on certain conditions, to physical and electronic records in or subject to the possession and/or control of Richter, as receiver, by parties including (i) existing or former directors, officers, and employees of the Debtors no longer having access to such records (collectively, “Requesters”) and (ii) non-Debtor entities, (b) provided for the production by Richter of such physical and electronic records as commanded, demanded, ordered or otherwise required to be produced in a legal process, and (c) established and set out, on certain conditions, a process for when Richter, as the receiver, intended to expressly waive the solicitor-client privilege (or any similar privilege or doctrine in any jurisdiction in which the Debtors have records) as to the Debtors in any Production Case (defined in the Document Access Order as any “legal process”) involving one or more of the Debtors (the “Paragraph 25 Process”);

WHEREAS two Grand Jury subpoenas (dated respectively February 25, 2020, and August 25, 2020) (the “Grand Jury Subpoenas”) have been issued to the Debtor Nygard Inc. in a certain proceeding in the United States District Court, Southern District of New York, in respect of which Richter is directed to produce documents as commanded thereunder and, accordingly, to which it has produced documents under its powers and obligations as Receiver over the Debtors in the

Canadian proceedings, in accordance with its legal obligations to make such production in response to the Grand Jury Subpoenas, which, by reason of the manner in which certain of the documents were maintained prior to the appointment of Richter as receiver, may include documents of the Debtors, non-Debtor entities and Requesters;

NOW, THEREFORE, IT IS STIPULATED AND AGREED, by and among the Parties, by and through their respective counsel, and **ORDERED** and **APPROVED** by the Court as follows:

1. The Document Access Order shall be granted recognition in the Debtors' chapter 15 cases, and enforceable within the territorial limits of the United States.

2. Notwithstanding the recognition of the Document Access Order, the Parties hereby agree to certain terms for the production of documents by the Receiver in response to the Grand Jury Subpoenas, and other subpoenas as described herein.

3. Richter shall make a copy available to Levene Tadman Golub Law Corporation ("LTG"), as Canadian counsel for and on behalf of the Debtors, and Lerner's LLP ("Lerner's"), as Canadian counsel for and on behalf of certain non-Debtors Edson's Investments Inc. ("Edson's") and Brause Investments Inc. ("Brause"), of documents and records that have to date been produced by Richter in response to the Grand Jury Subpoenas, in the same format as produced by Richter in response to the Grand Jury Subpoenas. For avoidance of doubt, the Debtors and Edson's/Brause shall not be restricted from sharing such documents if, in good faith, they deem it appropriate;

4. To the extent that Richter receives any additional grand jury subpoenas issued by a grand jury within the jurisdiction of the United States, or any subpoena or other commandment or requirement for the production of documents in any consequent criminal proceedings (including

asset forfeiture or confiscation proceedings) (collectively, with the Grand Jury Subpoenas, “Subpoenas”) it shall provide a copy of such Subpoena(s) to LTG and Lerner to the extent not otherwise prohibited by law;

5. To the extent Richter makes future additional productions of documents (which may include Debtor and/or non-Debtor and/or Requester documents) in response to Subpoenas, and only to the extent not otherwise prohibited by law, it shall provide a copy of such production to LTG and Lerner seven (7) days prior to making the production commanded or required, in the same format as intended to be provided in response to the Subpoena;

6. Richter has been and shall be entitled to make such productions on the basis that Richter will not conduct a privilege review of documents being produced;

7. Once documents are provided to the Debtors (and affected non-Debtors) in accordance with this stipulation, the Debtors (or affected non-Debtors, as the case may be) may set forth objections on the basis of privilege or otherwise by contacting the relevant United States Attorney’s Office or other counterparty, or filing a motion with a District Court with jurisdiction over the grand jury from which the Subpoena was issued or with other such court having jurisdiction in the proceedings in which the Subpoena was issued, and nothing in this agreement will alter the obligations of any non-party to this agreement with respect to protecting privilege of any documents produced to it by Richter;

8. Nothing herein will limit Richter’s obligation or ability to produce documents in response to any Subpoena in accordance with law;

9. Richter has no obligation to assert privileges or make objections in response to any Subpoena on behalf of the Debtors;

10. For greater certainty, the Paragraph 25 Process shall not apply to the productions of documents described in this Stipulation and the terms of this Stipulation shall apply.

11. This Stipulation shall be effective and enforceable immediately upon its entry by the Court;

12. This Court shall retain jurisdiction regarding the enforcement, amendment, or modification of this Stipulation.

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Dated: September 22, 2020

/s/ Steven J. Reisman, Esq.

KATTEN MUCHIN ROSENMAN LLP

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Jerry L. Hall, Esq.

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Counsel to the Foreign Representative

Dated: September 22, 2020

/s/ John E. Jureller, Jr.

**KLESTADT WINTERS JURELLER SOUTHARD &
STEVENS, LLP**

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*Local Counsel to Levene Tadman Golub Law Corporation,
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wonchulenko@ltglc.ca

Counsel to the Foreign Debtors

IT IS SO ORDERED:

Dated: September 22, 2020
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN

UNITED STATES BANKRUPTCY JUDGE

APPENDIX B

**Richter Advisory Group Inc.
in its capacity as Receiver of**

**Nygard Holdings (USA) Limited, Nygard Inc., Fashion Ventures, Inc. Nygard NY Retail, LLC, Nygard Enterprises Ltd., Nygard Properties Ltd. 4093879 Canada Ltd., 4093887
Statement of accounts**

Invoice #	Period		Fees	Disbursements ⁽¹⁾	Sub total	HST	Total
20405612	August 31, 2020 to September 6	\$	59,043.50	\$ 2,952.18	61,995.68	\$ 8,059.44	70,055.12
20405624	September 7, 2020 to September 13, 2020		47,485.25	2,374.26	49,859.51	6,481.73	56,341.24
20405643	September 14, 2020 to September 20, 2020		46,234.50	2,805.87	49,040.37	6,375.24	55,415.61
Total		\$	152,763.25	\$ 8,132.31	\$ 160,895.56	\$ 20,916.41	\$ 181,811.97

Summary by Staff Member

Staff member	Number of hours	Hourly rate	Amount
Senior Vice President			
A.Sherman	35.5 \$	895.00 \$	31,772.50
G. Benchaya	4.3 \$	895.00 \$	3,848.50
P. Patel	78.2 \$	775.00 \$	60,605.00
Associate			
E. Finley	90.5 \$	415.00 \$	37,557.50
Analyst			
J. Caylor	63.0 \$	175.00 \$	11,025.00
Administration			
C.O'Donnell	17.5 \$	250.00 \$	4,375.00
Pascale Lareau	3.8 \$	185.00 \$	703.00
K. Le	15.6 \$	185.00 \$	2,876.75
Total	308.35	\$	152,763.25

Blended average \$ 495.42

Notes:

(1) Includes Administrative and Technology Fees.

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Thompson Dorfman Sweatman LLP ("TDS")

as counsel for Richter Advisory Group Inc., in its capacity as Receiver of

Nygard Holdings (USA) Limited, Nygard Inc., Fashion Ventures, Inc. Nygard NY Retail, LLC, Nygard Enterprises Ltd., Nygard Properties Ltd. 4093879 Canada Ltd., 4093887 Canada Ltd., and Nygard International Partnership

Statement of Accounts - Summary of Invoices

Invoice #	Period	Fees	Disbursements	Sub total	GST / RST	Total
617703	August 31, 2020 to September 6, 2020	\$ 40,465.50	\$ 370.49	\$ 40,835.99	\$ 4,864.90	\$ 45,700.89
618032	September 7, 2020 to September 13,2020	38,933.50	13,954.60	52,888.10	5,342.69	58,230.79
Total		\$ 79,399.00	\$ 14,325.09	\$ 93,724.09	\$ 10,207.59	\$ 103,931.68

Summary by Staff Member

Staff member	Number of hours	Hourly rate	Amount
G. Bruce Taylor, partner	71.9	\$ 675.00	\$ 48,532.50
Drew M. Mitchell, partner	29	525.00	15,225.00
Ross A. McFadyen, partner	21.9	425.00	9,307.50
Kevin B. Bruce, associate	3.1	160.00	496.00
Melanie LaBossiere, associate	41.7	140.00	5,838.00
Total	167.60		\$79,399.00

Blended average hourly rate: \$ 473.74

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Katten Muchin Rosenman LLP as counsel for Ricther Advisory Group Inc.,
in its capacity as Receiver of

Nygard Holdings (USA) Limited, Nygard Inc., Fashion Ventures, Inc. Nygard NY Retail, LLC, Nygard Enterprises Ltd., Nygard Properties Ltd. 4093879 Canada Ltd., 4093887 Canada Ltd., and Nygard International Partnership

Statement of accounts (in USD)

Invoice #	Period	Fees	Disbursements	Total
1301631908	June 1, 2020 to June 30, 2020	\$ 99,545.00	\$ 381.07	\$ 99,926.07
1301638386	July 1, 2020 to July 31, 2020	52,437.00	1,006.75	53,443.75
1301645530	August 1, 2020 to September 18, 2020	108,058.00	362.64	108,420.64
Total		\$ 260,040.00	\$ 1,750.46	\$ 261,790.46

Attorney or Assistant	Title	Number of hours	Hourly rate (USD)	Amount (USD)
S. Reisman	Partner	1.70	\$ 1,325.00	\$ 2,252.50
J. Hall	Partner	65.30	1,080.00	70,524.00
W. Freeman	Partner	3.00	1,170.00	3,510.00
M. Rosensaft	Partner	77.70	960.00	74,592.00
A. Yager	Associate	16.60	680.00	11,288.00
J. Nussbaum	Associate	29.70	565.00	16,780.50
M. Rosella	Associate	126.80	565.00	71,642.00
G. Thompson	Associate	0.80	565.00	452.00
C. Lawrence	Paralegal	6.30	420.00	2,646.00
G. Sampaio	Associate	4.10	460.00	1,886.00
R. Brady	Litigation Support Specialist	8.10	300.00	2,430.00
M. Siena	Paralegal	9.70	210.00	2,037.00
Total		349.80	\$	260,040.00

Blended average hourly rate: USD \$ 743.40

APPENDIX C

RICHTER

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Date:	9/11/2020
Invoice No.:	20405612
Engagement No.:	2021900
Payment Terms:	Due on Receipt

Professional services rendered to September 6, 2020.	\$ 59,043.50
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Sub-Total	59,043.50
Technology and Administrative Fees	2,952.18
GST/HST #885435842 RT0001	8,059.44
Total Due	CAD \$ 70,055.12

TORONTO

Richter Advisory Group Inc.
181 Bay St., #3510
Bay Wellington Tower
Toronto ON M5J 2T3
416.488.2345

MONTRÉAL

1981 McGill College
Montréal QC H3A 0G6
514.934.3400

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

RICHTER.CA

Invoice No.: 20405612
Date: 9/11/2020

Fees

Name	Hours	Rate	Amount
Adam Sherman	9.60	\$ 895.00	\$ 8,592.00
Carol O'Donnell	7.80	250.00	1,950.00
Eric Finley	37.50	415.00	15,562.50
Gilles Benchaya	2.30	895.00	2,058.50
Jack Caylor	32.25	175.00	5,643.75
Ken Le	6.55	185.00	1,211.75
Pritesh Patel	31.00	775.00	24,025.00
	127.00		\$ 59,043.50

Invoice No.: 20405612
Date: 9/11/2020

Fee and Disbursement Details

Date	Name and Description	Hours	Rate	Amount
8/31/2020	Carol O'Donnell Communication with Service Canada re WEPP. Verify bank for wire transfers, update.	1.50	\$ 250.00	\$ 375.00
8/31/2020	Ken Le Review emails and voice messages from the general creditor inbox.	0.60	185.00	111.00
8/31/2020	Adam Sherman Emails with TDS re E/B settlement, Gardena access, Nygard receivable, other. Emails with Richter team.	1.00	895.00	895.00
8/31/2020	Pritesh Patel Call with Colliers, TDS re Inkster. Correspondence with Lenders re status of Inkster, and call to discuss same. Discussions with Richter team re Vaughan DC, [REDACTED] employee retention issues. Emails with Nygard re PJN property removal at Inkster.	5.50	775.00	4,262.50
8/31/2020	Eric Finley Emails, discussions and analysis re store closing sale timeline, inventory management, Gardena inventory sale, banking arrangements, loan ledger balance, WEPP, receivable balances.	2.50	415.00	1,037.50
8/31/2020	Eric Finley Review, draft and send several lease repudiation notices in accordance with the Landlord Terms Order. At Vaughan DC all day, various discussions and direction given to exit property.	5.50	415.00	2,282.50
8/31/2020	Jack Caylor At Vaughan DC to help with building exit and plan next steps to finalize building exit. Correspondence with S. Chaves and E. Finley re same. Update R&D for w/e August 28. Draft and send leases disclaimers for September 15 vacate date.	5.50	175.00	962.50
9/1/2020	Ken Le Review emails and voice messages from the general creditor inquiries inbox.	0.40	185.00	74.00
9/1/2020	Gilles Benchaya Review retail sales and loan ledger.	1.30	895.00	1,163.50
9/1/2020	Adam Sherman Emails with TDS re E/B settlement, account for period ending 8/23, Gardena access, Lender ledger debt, Nygard receivable, other. Emails with TGF re TD Merchant Services. Emails/discussions with Richter team.	2.50	895.00	2,237.50
9/1/2020	Pritesh Patel	5.50	775.00	4,262.50

Invoice No.: 20405612
Date: 9/11/2020

Date	Name and Description	Hours	Rate	Amount
	Update call with Lenders, investigation into ledger debt issue. Update call with CEO. Emails with counsel re status of Niagara payout. Call with TDS, Colliers re Inkster extension, review of letter from Purchaser on same.			
9/1/2020	Eric Finley Emails, discussions and analysis re missing vehicles, 1 Niagara sale, WEPP, UPS, store closing timeline, cash management, loan balance analysis, 1 Niagara proceeds, exit of Toronto DC, Inkster sale, employee retention.	3.75	415.00	1,556.25
9/1/2020	Eric Finley Several calls in connection with operations and payment for the sale of inventory in Gardena. Calls with Hilco re store closing progress, collection of AR.	2.75	415.00	1,141.25
9/1/2020	Jack Caylor Review lease disclaimers in preparation for final store closing. Organize and review documents re September 2 funding request. Reformat and review BBC. Organize temp labor, bin disposal in preparation for DC cleanout.	5.00	175.00	875.00
9/2/2020	Carol O'Donnell Verify bank for wires, update. Prepare wire transfers, miscellaneous administration.	1.60	250.00	400.00
9/2/2020	Ken Le Email communication with former employee re WEPP, verify wire payments, review emails and voice messages from the general creditor inquiries inbox.	0.75	185.00	138.75
9/2/2020	Adam Sherman Emails with TGF re TD Merchant Services. Emails with TDS re E/B settlement, release of docs to US Attorney's office, other. Emails/discussions with Richter team.	2.00	895.00	1,790.00
9/2/2020	Pritesh Patel Emails with Nygard re ledger debt, PJN property removal from Inkster, FF&E sales. Call with Katten, TDS re subpoena matters. Reconciliation of Niagara proceeds, call with Lenders on same. Calls with Richter, TDS team re [REDACTED] funding request, payout rec.	8.00	775.00	6,200.00
9/2/2020	Eric Finley At Vaughan DC all day. Prepare and manage exit and arrange clearing of facility. Calls and analysis re White Oak loan ledger, cash management and banking. Address items in connection Gardena inventory sale.	4.50	415.00	1,867.50
9/2/2020	Eric Finley	3.00	415.00	1,245.00

Invoice No.: 20405612
Date: 9/11/2020

Date	Name and Description	Hours	Rate	Amount
	Emails, discussions and analysis re White Oak loan, utility payments, Inkster permits, TD card processing, BMO account management, settlement agreement. Finalize funding request and BBC and submit same to Lenders.			
9/2/2020	Jack Caylor At Vaughan DC all day to supervise temp labor with cleaning out building. Correspondence with related parties re same. Correspondence with landlords on site re building issues. Draft and send leases disclaimer emails for September 18 vacate date.	6.00	175.00	1,050.00
9/3/2020	Carol O'Donnell Update wires and entries in GL. Communication with BMO obtain wire document. Complete document for White Oak. Miscellaneous administration.	2.70	250.00	675.00
9/3/2020	Ken Le Issue cheques and update, review emails and voice messages from the general claims inbox, email communication with employee re WEPP.	0.80	185.00	148.00
9/3/2020	Gilles Benchaya Review of overpayment to Lenders and status of cashflow.	1.00	895.00	895.00
9/3/2020	Adam Sherman Emails with TDS re E/B settlement and releases. Emails with Richter team.	0.80	895.00	716.00
9/3/2020	Pritesh Patel Calls with White Oak re payout reconciliation and next steps. Call with P. Sims re Inkster permit issues. Review of PII re Broadway. Review and edits to response to D. Paton letter. Calls with Richter team re WO wire status.	6.00	775.00	4,650.00
9/3/2020	Eric Finley Emails, discussions and analysis re Inkster permit workplan, Gardena inventory sale, Gardena operations, UPS payment, Gardena inventory listing, 1 Niagara closing, IP sale, Woodbridge DC, employee retention, store closing plan.	3.50	415.00	1,452.50
9/3/2020	Eric Finley Review and send several landlord repudiation notices in accordance with the landlord terms order. Several emails and calls with Lenders relating to the Receiver's borrowings and the cash management system.	3.00	415.00	1,245.00
9/3/2020	Jack Caylor	3.00	175.00	525.00

Invoice No.: 20405612
Date: 9/11/2020

Date	Name and Description	Hours	Rate	Amount
	Draft, review and finalize leases disclaimers in preparation for September 4 send date. Correspondence with S. Bashir re reviewing landlord contacts at certain locations.			
9/3/2020	Jack Caylor Draft cheque received for Receiver's payments. Correspondence with E. Finley and C. O'Donnell re same. Multiple emails following up with landlords re lease disclaimer issues and questions.	2.50	175.00	437.50
9/4/2020	Carol O'Donnell Tracing of wire to Lender. Communications with P. Patel, BMO.	2.00	250.00	500.00
9/4/2020	Ken Le Prepare wire transfers and update, numerous communications with E. Finley, C. O'Donnell, BMO and subsequent follow up on the wire investigation, review emails and voice messages from the general creditor inquires inbox and forward to J. Caylor.	4.00	185.00	740.00
9/4/2020	Adam Sherman Emails with TDS re E/B settlement and releases, account for period ending 8/30, Lender repayment/reconciliation, other. Emails with Richter team.	2.00	895.00	1,790.00
9/4/2020	Pritesh Patel Calls with Richter team re wire to WO, review of emails on same. Calls with E. Finley re settlement agreement, IP closing, repayment of Receiver's Borrowings. Call with White Oak re status of overpayment.	2.00	775.00	1,550.00
9/4/2020	Eric Finley Emails, discussions and analysis re lease disclaimers, cash management issues, store closing plan, inventory management, IP process, CRA audits, inventory management, calls with Hilco re store closing plan, tracking wire transfer, employee retention.	3.25	415.00	1,348.75
9/4/2020	Eric Finley Review and finalize settlement agreement. Review and finalize IP sales process. Several calls and emails with Lenders relating to Receiver's borrowings and cash management system.	3.25	415.00	1,348.75
9/4/2020	Jack Caylor Review, draft and send lease disclaimer emails re September 20, 21 and 22 store vacate date. Emails and calls with Richter team and Nygard team re same.	4.50	175.00	787.50
9/4/2020	Jack Caylor	2.25	175.00	393.75

Invoice No.: 20405612
Date: 9/11/2020

Date	Name and Description	Hours	Rate	Amount
9/5/2020	Multiple follow up emails re landlord issues with leases disclaimers. Reconcile sent leases disclaimers to Hilco listing. Adam Sherman Emails with TDS re E/B settlement and releases. Email from J. Hall re US document access motion.	0.50	895.00	447.50
9/5/2020	Pritesh Patel Review of motion filed by Debtors in Chapter 15 proceedings and call with Katten, TDS on same.	1.50	775.00	1,162.50
9/6/2020	Adam Sherman Emails with TDS re E/B settlement and releases. Communications with Nygard counsel re PJN litigation, US DEFA Order motion.	0.80	895.00	716.00
9/6/2020	Pritesh Patel Edits to draft Seventh report and email to E. Finley on same.	2.50	775.00	1,937.50
9/6/2020	Eric Finley Update Receiver's Seventh report, including R&D, fee approval, store closing update and credit facility sections.	2.50	415.00	1,037.50
9/6/2020	Jack Caylor Update R&D for w/e September 5. Review R&D for Receiver's Seventh report. Update documents for Receiver's report re professional fee summaries, redacted invoices.	3.50	175.00	612.50
Fees Total		127.00		\$ 59,043.50

Invoice No.: 20405612
Date: 9/11/2020

Remittance Form

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Invoice Summary

Sub-Total		\$ 59,043.50
Technology and Administrative Fees		2,952.18
GST/HST #885435842 RT0001		8,059.44
Total Due	CAD	\$ 70,055.12

Payment Options

**At this time, we ask that payment not be made by cheque.
Please use one of the payment options below. We appreciate your collaboration.**

Wire Transfer Toronto Dominion Bank
Commercial Banking Center
525 Av. Viger Ouest, Montréal (Qc) H2Z 0B2
Bank Institute No.: 004
CAD Account no.: 5300836 Transit no.: 41601 Swift code: TDOMCATTTOR
USD Account no.: 7332090 Transit no.: 41601 Swift code: TDOMCATTTOR

Email payment details, including invoice number and amount paid to:
ClientService@richter.ca

Credit Card payments can be made by contacting us as indicated below.

Inquiries: please call our general line 416.488.2345 or e-mail ClientService@richter.ca

TORONTO

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514.934.3400

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

RICHTER.CA

RICHTER

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Date: 9/15/2020
Invoice No.: 20405624
Engagement No.: 2021900
Payment Terms: Due on Receipt

Professional services rendered to September 13, 2020. \$ 47,485.25

Sub-Total	47,485.25
Technology and Administrative Fees	2,374.26
GST/HST #885435842 RT0001	6,481.73
Total Due	CAD \$ 56,341.24

TORONTO

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MONTRÉAL

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514.934.3400

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

RICHTER.CA

Invoice No.: 20405624
Date: 9/15/2020

Fees

Name	Hours	Rate	Amount
Adam Sherman	10.80	\$ 895.00	\$ 9,666.00
Carol O'Donnell	7.50	250.00	1,875.00
Eric Finley	25.50	415.00	10,582.50
Gilles Benchaya	2.00	895.00	1,790.00
Jack Caylor	14.75	175.00	2,581.25
Ken Le	5.00	185.00	925.00
Pascale Lareau	0.80	185.00	148.00
Pritesh Patel	25.70	775.00	19,917.50
	92.05		\$ 47,485.25

Invoice No.: 20405624
Date: 9/15/2020

Fee and Disbursement Details

Date	Name and Description	Hours	Rate	Amount
9/7/2020	Gilles Benchaya Review weekly sales and action plan for store closures.	1.00	\$ 895.00	\$ 895.00
9/7/2020	Adam Sherman Emails with TDS re PJN document disclosure matters, E/B settlement, revised draft US DEFA Order, communications with PJN counsel, other. Emails with Richter team.	1.00	895.00	895.00
9/7/2020	Pritesh Patel Call with Katten, TDS re motion filed in Ch 15 proceedings. Review and edits to Seventh report.	4.00	775.00	3,100.00
9/8/2020	Carol O'Donnell Communications with BMO regarding incoming wire transfer. Communications with BMO regarding funds returned for wire payment to TD Merchant. Discussion with E. Finley, update GL and forward to E. Finley.	1.40	250.00	350.00
9/8/2020	Adam Sherman Emails with TDS re E/B settlement, communications with PJN counsel, call with Osler re Lender matters, other. Email from TGF re TD Merchant Services. Email from Cushman & Wakefield re lease disclaimer. Emails/call with Richter team.	2.00	895.00	1,790.00
9/8/2020	Pritesh Patel Continued edits and drafting of Seventh report, circulate updated draft to Richter team for comment. Numerous calls with Richter team re status of Lender overpayment, call with Osler on same. Call with TDS re Ch 15 motion.	6.50	775.00	5,037.50
9/8/2020	Eric Finley Emails, discussions and analysis re store closing plan, employee and staffing plans, Gardena sale update, Card processing fees, landlord inquiries, changes to cash management system, Inkster permits, funding request.	3.50	415.00	1,452.50
9/8/2020	Eric Finley Update draft of Seventh report of the Receiver including fees, credit facility update, cash management, R&D sections of the report. Calls with counsel and Richter team re same.	3.50	415.00	1,452.50
9/8/2020	Jack Caylor Multiple emails and calls responding to Richter hotline inquiries re WEPP status, vacation pay, unsecured creditors and claims status. Review and draft leases disclaimers. Correspondence with S. Bashir re same.	3.25	175.00	568.75

Invoice No.: 20405624
Date: 9/15/2020

Date	Name and Description	Hours	Rate	Amount
9/8/2020	Jack Caylor Review supporting documents provided by Nygard and draft September 9 funding request. Correspondence with E. Finley re same. Correspondence with L. Klassen, L. Micic and BC Hydro re outstanding amounts, payment reconciliation, next steps.	3.25	175.00	568.75
9/9/2020	Pascale Lareau Prepare bank reconciliation, pdf, update bank reconciliation file and follow-up for signature, filing document (2 bank accounts).	0.80	185.00	148.00
9/9/2020	Carol O'Donnell Prepare wire transfer, update.	0.80	250.00	200.00
9/9/2020	Adam Sherman Emails from RioCan re lease disclaimers. Emails with TDS re Receiver's Seventh report, E/B settlement matters, other. Emails with Richter team.	1.50	895.00	1,342.50
9/9/2020	Pritesh Patel Call with Osler re timing of Lender release of funds. Review of emails from Katten re subpoena/Ch 15 motion matters. Review of comments from counsel on the report, update for same. Update call with KLD.	5.50	775.00	4,262.50
9/9/2020	Eric Finley Emails, discussions and analysis re missing vehicles in California, landlord inquiries, review lease disclaimers, discuss AR reconciliation with company, Cash collateral funds, Gardena inventory analysis, sales tax. Update call with Hilco/company.	3.50	415.00	1,452.50
9/9/2020	Eric Finley Emails and phone calls with BMO and Richter re cash flow forecasting, cash management system, updated funding protocols, sweep mechanism. Review and finalize current week funding request.	3.00	415.00	1,245.00
9/9/2020	Jack Caylor Draft, send and track landlord follow up emails re confirming store vacate. Reply to multiple landlord follow up emails re FF&E abandonment. Confirm with W. Popal re certain store's status per landlord requests.	4.00	175.00	700.00
9/9/2020	Jack Caylor Review leases disclaimers and begin drafting emails in preparation for store closures. Review landlord contact information and confirm with S. Bashir.	1.25	175.00	218.75
9/10/2020	Carol O'Donnell	0.80	250.00	200.00

Invoice No.: 20405624
Date: 9/15/2020

Date	Name and Description	Hours	Rate	Amount
9/10/2020	Update WEPP for former director. Verify bank for funds, update deposit. Communication with BMO regarding missing incoming deposit. Miscellaneous administration. Adam Sherman	4.00	895.00	3,580.00
9/10/2020	Emails with TDS re E/B settlement matters, accounts, Receiver's Seventh report, draft NoM/Order re settlement approval, communications with E/B counsel, other. Review Osler comments on Receiver's Seventh report. Emails, discussions with Richter team. Pritesh Patel	6.20	775.00	4,805.00
9/10/2020	Call with landlord to Vaughan DC re abandonment. Review and comments on motion materials. Calls with TDS, Colliers re Inkster. Review and email to Katten re subpoena docs. Review and comment on appendices for report. Eric Finley	5.00	415.00	2,075.00
9/10/2020	Emails, discussions and analysis re store closing sale, employee retention, Gardena inventory progress, missing vehicles, White Oak ledger review, employee listing, Vaughan landlords, Inkster permits, insurance claim, landlord inquiries. Eric Finley	2.00	415.00	830.00
9/11/2020	Finalize Receiver's Seventh report including appendices, formatting and finalization. Various discussions with Richter team, TDS re same. Carol O'Donnell	4.50	250.00	1,125.00
9/11/2020	Post documents to website, file with OSB. Amend WEPP TIF. Prepare wire transfers. Prepare WEPP. Verify bank for wire transfers. Ken Le	5.00	185.00	925.00
9/11/2020	Efile WEPP for employees with Service Canada. Telephone call with former employee and forward voice message to J. Caylor. Gilles Benchaya	1.00	895.00	895.00
9/11/2020	Update on settlement agreement and review of motion materials. Adam Sherman	2.30	895.00	2,058.50
9/11/2020	Emails with TDS re E/B settlement motion, NOI/Proposal Trustee matters, other. Finalize/sign Receiver's Seventh report. Approve expenses. Emails/discussions with Richter team. Pritesh Patel	3.00	775.00	2,325.00

Invoice No.: 20405624
Date: 9/15/2020

Date	Name and Description	Hours	Rate	Amount
	Call with Katten/TDS re Ch 15 motion. Emails with Richter team re Inkster. Review, finalize and sign Seventh report for service.			
9/11/2020	Eric Finley Finalize / issue Receiver's Seventh report to TDS for service. Landlord inquiries. Gardena payments. Update on Inkster permits. Deliver IP sales process deliverables. Phone calls re missing vehicles, key employees and staffing, cash flow management.	5.00	415.00	2,075.00
9/11/2020	Jack Caylor Review and send lease disclaimers for September 26 vacate date. Respond to landlord follow up emails re FF&E abandonment. Calls with S. Bashir re confirming landlords.	1.75	175.00	306.25
9/13/2020	Pritesh Patel Review of correspondence from TDS re NOI motion and call to discuss same.	0.50	775.00	387.50
9/13/2020	Jack Caylor Review and finalize lease disclaimers to be issued on September 14.	1.25	175.00	218.75
Fees Total		92.05		\$ 47,485.25

Invoice No.: 20405624
Date: 9/15/2020

Remittance Form

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Invoice Summary

Sub-Total		\$ 47,485.25
Technology and Administrative Fees		2,374.26
GST/HST #885435842 RT0001		6,481.73
Total Due	CAD	\$ 56,341.24

Payment Options

**At this time, we ask that payment not be made by cheque.
Please use one of the payment options below. We appreciate your collaboration.**

Wire Transfer Toronto Dominion Bank
Commercial Banking Center
525 Av. Viger Ouest, Montréal (Qc) H2Z 0B2
Bank Institute No.: 004
CAD Account no.: 5300836 Transit no.: 41601 Swift code: TDOMCATTOR
USD Account no.: 7332090 Transit no.: 41601 Swift code: TDOMCATTOR

Email payment details, including invoice number and amount paid to:
ClientService@richter.ca

Credit Card payments can be made by contacting us as indicated below.

Inquiries: please call our general line 416.488.2345 or e-mail ClientService@richter.ca

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CHICAGO

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RICHTER.CA

RICHTER

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Date:	9/23/2020
Invoice No.:	20405643
Engagement No.:	2021900
Payment Terms:	Due on Receipt

Professional services rendered to September 20, 2020.	\$ 46,234.50
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Disbursements	470.61
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Sub-Total	46,705.11
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Technology and Administrative Fees	2,335.26
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GST/HST #885435842 RT0001	6,375.24
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Total Due	CAD	\$ 55,415.61
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TORONTO

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514.934.3400

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

RICHTER.CA

Invoice No.: 20405643
Date: 9/23/2020

Fees

Name	Hours	Rate	Amount
Adam Sherman	15.10	\$ 895.00	\$ 13,514.50
Carol O'Donnell	2.20	250.00	550.00
Eric Finley	27.50	415.00	11,412.50
Jack Caylor	16.00	175.00	2,800.00
Ken Le	4.00	185.00	740.00
Pascale Lareau	3.00	185.00	555.00
Pritesh Patel	21.50	775.00	16,662.50
	89.30		\$ 46,234.50

Disbursements

Postage and Copies	\$ 470.61
	\$ 470.61

Invoice No.: 20405643
Date: 9/23/2020

Fee and Disbursement Details

Date	Name and Description	Hours	Rate	Amount
9/13/2020	Adam Sherman Emails with TDS re E/B settlement approval motion, Nygard NOI motion, other. Email from Debtor counsel attaching motion materials, including review of same.	1.30	\$ 895.00	\$ 1,163.50
9/14/2020	Pascale Lareau Preparation of mailing for WEPP.	3.00	185.00	555.00
9/14/2020	Ken Le File WEPP entitlements for individual employees with Service Canada.	4.00	185.00	740.00
9/14/2020	Adam Sherman Attendance on court call. Emails with TDS re communications with Nygard counsel, E/B settlement, NOI annulment, other. Review/finalize/sign Supplementary Seventh Report. Emails/discussions with Richter team. Emails from landlords re lease repudiations.	3.50	895.00	3,132.50
9/14/2020	Pritesh Patel Attendance on call for E/B Settlement Motion. Call with Colliers re Inkster. Review and edits to Supp Seventh Report, discussions with Richter team on same. Update call with TDS re NOI motion.	5.50	775.00	4,262.50
9/14/2020	Eric Finley Attend court call re settlement agreement. Debrief same and draft supplementary report in connection with inventory sale. Emails, discussions and analysis re benefits, inventory sale, store closing sale, Inkster permit.	7.00	415.00	2,905.00
9/14/2020	Jack Caylor Update, analyze and review R&D tracker for w/e September 12. Review, draft and send leases disclaimer emails for vacate date of September 29. Track progress re same.	2.75	175.00	481.25
9/14/2020	Jack Caylor Follow up with landlords re lease disclaimers. Multiple follow up calls and emails re employee issues, WEPP claims, ROE's, etc.	2.75	175.00	481.25
9/15/2020	Carol O'Donnell Post documents to website, file with OSB.	0.50	250.00	125.00
9/15/2020	Adam Sherman Attendance on court call. Emails with TDS re NOI annulment, communications with US counsel, Gardena access, other. Emails with US counsel re opposition to debtors' motion. Emails from landlords re lease repudiations. Emails/discussions with Richter team.	3.50	895.00	3,132.50
9/15/2020	Pritesh Patel	3.00	775.00	2,325.00

Invoice No.: 20405643
Date: 9/23/2020

Date	Name and Description	Hours	Rate	Amount
9/15/2020	Attendance on call for E/B Settlement Motion. Call with TDS, Katten re response to Debtors' Ch 15 motion. Call with Nygard, Richter team re status of store closures, FF&E sale, Inkster quotes.	6.50	415.00	2,697.50
9/15/2020	Eric Finley Attend court call re settlement agreement. Emails, discussions and analysis re Gardena inventory sale, document retention / access, store utilities, receivables collections, employee retention, wire tracing, vehicle repossession, insurance.	2.25	175.00	393.75
9/16/2020	Jack Caylor Review supporting documents provided by Nygard and draft funding requirement summary for week of September 14. Correspondence with E. Finley re same. Send landlord follow up emails re store vacate confirmations.	0.70	250.00	175.00
9/16/2020	Carol O'Donnell Communication with Service Canada regarding WEPP. Prepare TIF. Fax documents to BMO. Communication with Service Canada (EI) regarding termination of employee. Miscellaneous administration.	2.50	895.00	2,237.50
9/16/2020	Adam Sherman Emails with TDS/Katten re response to Debtors' US motion, other. Call with Osler. Emails/discussions with Richter team.	5.00	775.00	3,875.00
9/16/2020	Pritesh Patel Review of draft response to Debtors motion in Ch 15 proceedings. Call with advisors re Inkster property, follow-up call with Colliers. Call with Nygard CFO re retention, Broadway, Gardena. Calls with TDS, Katten re responding materials.	6.00	415.00	2,490.00
9/16/2020	Eric Finley Emails, discussions and analysis re finalizing funding request and transferring funds to company accounts, cash management issues, staffing planning, document retention, US inventory sales, store closing issues, WEPP.	2.00	175.00	350.00
9/17/2020	Jack Caylor Draft, send and track landlord follow up emails re confirming store vacate. Reply to multiple landlord follow up emails re FF&E abandonment. Follow up calls and emails re employee issues.	0.70	250.00	175.00

Invoice No.: 20405643
Date: 9/23/2020

Date	Name and Description	Hours	Rate	Amount
	Post documents to website and file with OSB. Verify wire transfers, discussion with J. Caylor regarding CDN invoice with US address.			
9/17/2020	Adam Sherman Emails with landlords re lease repudiations. Emails with TDS re communication with Debtor/Nygard counsel re document access, account for period ending 9/13/2020, E/B settlement order, NOI annulment order, other. Emails/discussions with Richter team.	2.50	895.00	2,237.50
9/17/2020	Pritesh Patel Review termination letter from BNS, call with E. Finley on same. Call with Inkster buyer re next steps, follow-up call with TDS on same. Review of Inkster amendment, execute same. Emails/calls with TDS, Katten re Debtors Ch 15 motion.	4.50	775.00	3,487.50
9/17/2020	Eric Finley Emails, discussions and analysis re document access issues, document retention, landlord inquiries, benefits payments, permitting issues at Inkster (several calls re same), Gardena payments, insurance claims, Gardena sale progress.	3.50	415.00	1,452.50
9/17/2020	Jack Caylor Draft, send and track landlord follow up emails re confirming store vacate. Reply to multiple landlord follow up emails re FF&E abandonment.	3.25	175.00	568.75
9/18/2020	Carol O'Donnell Verify bank for wire, update.	0.30	250.00	75.00
9/18/2020	Adam Sherman Emails with TDS re Osler accounts, draft US documents order, communications with Nygard counsel, other. Emails from landlords re lease repudiations. Approve disbursements. Emails with TGF re TD Merchant Services. Emails/discussions with Richter team.	1.80	895.00	1,611.00
9/18/2020	Pritesh Patel Review of draft stipulation from Katten, call with TDS on same. Review Inkster quotes, appraisal. Call with Richter team re Inkster quotes, E/B doc access request, UPS, BNS account.	3.50	775.00	2,712.50
9/18/2020	Eric Finley	4.50	415.00	1,867.50

Invoice No.: 20405643
Date: 9/23/2020

Date	Name and Description	Hours	Rate	Amount
	Emails, discussions and analysis re cash management issues and account closure, Gardena inventory sale progress, document retention, Inkster permitting issues, landlord inquiries and store abandonment, insurance claim.			
9/18/2020	Jack Caylor Draft, send and track landlord follow up emails re confirming September 18 store vacate. Follow up with landlord legal counsels re confirming all disclaimers have been sent.	2.25	175.00	393.75
9/18/2020	Jack Caylor Call with bin company re landlord issues at Woodbridge DC, bin pickup and outstanding invoices. Follow up with L. Micic re payment of invoices.	0.75	175.00	131.25
Fees Total		89.30		\$ 46,234.50
Date	Name and Description	Hours	Rate	Amount
9/15/2020	Postage and Copies 9/15/2020: 6 pages X 189 copies @ \$0.10; Notice of WEPP			\$ 113.40
9/15/2020	Postage and Copies 9/15/2020: Notice of WEPP			357.21
Disbursements Total				\$ 470.61

Invoice No.: 20405643
Date: 9/23/2020

Remittance Form

Richter Advisory Group Inc., Receiver re: Nygard International Partnership et al
181 Bay Street, Suite 3510
Toronto, ON M5J 2T3

Invoice Summary

Sub-Total		\$ 46,705.11
Technology and Administrative Fees		2,335.26
GST/HST #885435842 RT0001		6,375.24
Total Due	CAD	<u>\$ 55,415.61</u>

Payment Options

At this time, we ask that payment not be made by cheque.
Please use one of the payment options below. We appreciate your collaboration.

Wire Transfer Toronto Dominion Bank
Commercial Banking Center
525 Av. Viger Ouest, Montréal (Qc) H2Z 0B2
Bank Institute No.: 004
CAD Account no.: 5300836 Transit no.: 41601 Swift code: TDOMCATTOR
USD Account no.: 7332090 Transit no.: 41601 Swift code: TDOMCATTOR

Email payment details, including invoice number and amount paid to:
ClientService@richter.ca

Credit Card payments can be made by contacting us as indicated below.

Inquiries: please call our general line 416.488.2345 or e-mail ClientService@richter.ca

TORONTO

Richter Advisory Group Inc.
181 Bay St., #3510
Bay Wellington Tower
Toronto ON M5J 2T3
416.488.2345

MONTREAL

1981 McGill College
Montréal QC H3A 0G6
514.934.3400

CHICAGO

200 South Wacker, #3100
Chicago IL 60606
312.828.0800

RICHTER.CA

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**THOMPSON
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Winnipeg MB R3C 0V1
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general email: info@tdslaw.com

September 9, 2020

Richter Advisory Group Inc.
Receiver Nygard International Partnership
Bay Wellington Tower
3510 - 181 Bay Street
Toronto ON M5J 2T3

Attention: Pritesh Patel, Partner

Invoice No. 617703 – Ending September 6, 2020

Re: Claim against Nygard International Partnership Receivership
Our Matter No. 65803 0173004 GBT

REMITTANCE COPY

Total Fees	\$	40,465.50
Total Disbursements	\$	370.49
Total GST/HST	\$	2,032.31
Total RST	\$	2,832.59
 Total Due This Invoice	 \$	 45,700.89

Please return this page with your payment payable to Thompson Dorfman Sweatman LLP.

GST Registration No. 121757413

Interest will be charged at the rate of 7% per annum on unpaid invoices calculated from a date that is one month after the date of this invoice.



**THOMPSON
DORFMAN
SWEATMAN**

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Winnipeg MB R3C 0V1
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Fax (204) 934-0570
www.tdslaw.com
general email: info@tdslaw.com

September 9, 2020

Richter Advisory Group Inc.
Receiver Nygard International Partnership
Bay Wellington Tower
3510 - 181 Bay Street
Toronto ON M5J 2T3

Attention: Pritesh Patel, Partner

Invoice No. 617703 – Ending September 6, 2020

Re: Claim against Nygard International Partnership Receivership
Our Matter No. 65803 0173004 GBT

Disbursements:

Paid to	Miscellaneous (Non-Taxable) PAYEE: TD Canada	\$	80.00	
	Trust (Debit Memo: Wire Service Charge);			
	REQUEST#: 305518; DATE: 9/2/2020. - Wire Fee			
	from Sept 1/2020			
Paid to	Miscellaneous (Non-Taxable) PAYEE: TD Canada	\$	80.00	
	Trust (Debit Memo: Wire Service Charge);			
	REQUEST#: 305518; DATE: 9/2/2020. - Wire Fee			
	from Sept 1/2020			
Paid to	Miscellaneous (Non-Taxable) PAYEE: TD Canada	\$	30.00	
	Trust (Debit Memo: Wire Service Charge);			
	REQUEST#: 305520; DATE: 9/2/2020. - Wire Fee			
	from Aug 31/2020			
Paid to	Long Distance	\$	0.75	*
Paid to	Deliveries	\$	59.74	*
Paid to	Imaging	\$	120.00	*
Total Disbursements			\$	370.49
*GST/HST on Taxable Disbursements			\$	9.03

Our fees for all professional services:

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
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<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
April 6, 2020	KBB	Reviewing Offer; email exchange with counsel regarding possession date;	0.70
May 8, 2020	KBB	Reviewing offers to purchase;	1.80
May 14, 2020	KBB	Reviewing offers to purchase;	0.60
August 31, 2020	RAM	E-mail from and e-mail to W. Haight regarding update regarding Nygard International litigation; e-mail from and e-mail to B. Taylor regarding draft Releases, settlement agreement with Edson's/Brause; reviewing and considering draft Releases, settlement agreement; e-mail from D. Magisano, B. Taylor and P. Patel regarding Gardena access;	1.30
August 31, 2020	DMM	Preparing for conference call with client and counsel; conference call with client and counsel; reviewing amending agreement; telephone call to client; e-mail exchange with client; e-mail to Mark Ramzy; e-mail exchange with Ontario agent; telephone call to client; e-mail exchange with Hilco; e-mail exchange with counsel; reviewing Settlement Agreement; reviewing releases; e-mails to counsel; e-mail exchange with Colliers; e-mail exchange with counsel;	3.40
August 31, 2020	GBT	email correspondence; conference call T. Derrett, P. Patel, D. Mitchell; revise draft E/B Settlement Agreement; revise draft E/B Receiver Mutual Release Agreement; prepare draft Peter Nygard Release; follow up with R. McFadyen, D. Mitchell regarding revised settlement agreement, releases; telephone discussion with P. Patel regarding Vaughan warehouse abandonment; review comments, further revisions to draft	4.90



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		Edson's/Brause Settlement Agreement and EB/Receiver Mutual Release Agreement; circulate revised draft releases; telephone discussion with D. Mitchell regarding Minerva matters; follow up with P. Patel regarding revised draft EB Settlement agreement;	
September 1, 2020	RAM	E-mail from B. Taylor, D. Rosenblat, P. Patel, J. Dacks regarding draft settlement agreement, forms of Release; e-mail from and e-mail to B. Taylor, D. Magisano and W. Onchulenko regarding conference call regarding Edson's/Brause settlement; e-mail from B. Taylor regarding update on sale of inventory; e-mail from D. Mitchell regarding closing of Niagara property sale; e-mail from P. Patel and B. Taylor regarding repayment of lender obligations;	0.70
September 1, 2020	DMM	E-mail exchange with client; telephone call to client; telephone call to counsel; reviewing [REDACTED]; telephone call to client; e-mail exchange with client regarding funds; e-mail exchange with client and colliers; reviewing amending agreement; e-mails from counsel; e-mails from client; telephone call to client; e-mail to CBRE; telephone call from client; conference call with client and Colliers regarding amending agreement; conference call with counsel and client regarding Inkster offer; e-mail from Hilco; e-mail from Oslers; e-mails from counsel;	4.20
September 1, 2020	GBT	email correspondence; revise draft EB Receiver Mutual Release Agreement and circulate; telephone discussion with J. Dacks; revisions to draft	4.40



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		Settlement Agreement; telephone discussion with P. Patel; telephone conference P. Patel, E. Finley, D. Mitchell regarding [REDACTED]; circulate revised draft EB Settlement Agreement; voice message to W. Onchulenko; telephone discussion with W. Onchulenko; review Credit Agreement regarding "Obligations", debt of NIP to WO client;	
September 1, 2020	MML	August 28, 2020 - Preparing demand letter to Auld Phillips; e-mail to E. Finley, P. Patel, A. Sherman, B. Taylor and R. McFadyen regarding demand letter;	0.60
September 2, 2020	RAM	E-mail from D. Mitchell regarding sale of Inkster property; e-mail from B. Taylor and D. Magisano regarding Edson's/Brause settlement; e-mail from M. LaBossiere regarding demand letters; e-mail from B. Taylor, M. Rosensaft and P. Patel regarding privilege issues, document disclosure; conference call with W. Onchulenko, D. Magisano and B. Taylor regarding Edson's/Brause settlement, documentary disclosure; conference with and e-mail to B. Taylor regarding forms of Releases; conference call with M. Rosensaft, P. Patel and B. Taylor regarding documents, privilege claims; e-mail from J. Dacks, D. Rosenblat regarding Edson's/Brause settlement update; e-mail from D. Mitchell regarding purchase of inventory; e-mail to W. Onchulenko, D. Magisano regarding [REDACTED]; e-mail from B. Taylor and P. Patel regarding removal of P. Nygard personal items; e-mail from and e-mail to P. Patel, E. Finley, A. Sherman and B. Taylor	4.20



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		regarding repayment of lenders; e-mail from and e-mail to L. Galessiere regarding landlord inquiry; conference call with P. Patel, E. Finley, B. Taylor and D. Mitchell regarding repayment of lenders; reviewing and revising Edson's/Brause draft form of Release;	
September 2, 2020	DMM	E-mail exchange with client; e-mails from counsel; e-mail from client; e-mails to Ontario agents; e-mail from Hilco; e-mail exchange with client; preparing Statement of Receipts and Disbursements; reviewing trust ledger from Chaitons; e-mail exchange with client; conference call with client regarding Inkster extension; conference call with client and counsel; preparing Amending Agreement; reviewing purchase order and guarantee; preparing e-mail to purchaser; e-mails from counsel; e-mail from Osler; preparing for conference call with client and counsel; conference call with client and counsel;	2.90
September 2, 2020	GBT	email correspondence; review documents, prepare conference call; conference call D. Magisano, W. Onchulenko, R. McFadyen; document production, privilege matters; telephone discussion with P. Patel; conference call P. Patel, M. Rosensaft, R. McFadyen; consider issues regarding EB/Receiver Mutual Release Agreement; follow up regarding privilege matters; letter from D. Magisano regarding privilege matters; telephone discussion with D. Mitchell regarding [REDACTED]; telephone conference with P. Patel, E. Finley, D. Mitchell regarding [REDACTED]; follow up regarding PJN personal	5.50



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		items, Inkster; EB Settlement Agreement matters; lender payout matters; conference call P. Patel, E. Finley, R. McFadyen, D. Mitchell; telephone discussion with D. Mitchell; Inkster sale agreement amendment matters;	
September 3, 2020	RAM	E-mail from E. Finley, J. Withermann regarding landlord issue; e-mail from and e-mail to b. Taylor and D. Magisano regarding Edson's/Brause settlement, forms of Release; e-mail from and e-mail to D. Mitchell and B. Taylor regarding Receiver Term Sheet; conference with B. Taylor regarding Edson's/Brause settlement; e-mail from Registrar regarding Federal Court action; e-mail from B. Taylor and P. Patel regarding vehicle claims; e-mail from B. Taylor regarding P. Nygard personal property; e-mail to and e-mail from P. Patel and E. Finley regarding form of Release;	1.30
September 3, 2020	DMM	E-mails from counsel; voice mail from Toronto Hydro; telephone call to Toronto Hydro; reviewing Receiver's Term Sheet; reviewing receivership order; e-mail to counsel; e-mails from counsel;	1.50
September 3, 2020	GBT	email correspondence; EB Receiver Mutual Release Agreement, Settlement Agreement matters; follow up regarding [REDACTED]; termination of Receiver term sheet; revise draft [REDACTED] and circulate; consider motion matters; consider EB proposed revisions to draft Settlement Agreement; Inkster sale amendment;	2.90
September 4, 2020	RAM	E-mail from E. Finley, P. Patel, B.	1.70



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		<p>Taylor and D. Mitchell regarding Edson's/Brause settlement, releases, schedules; conference call with B. Taylor and D. Mitchell regarding Edson's/Brause settlement, releases; e-mail from D. Magisano regarding Edson's/Brause settlement; e-mail from E. Finley and B. Taylor regarding access to records; e-mail from and e-mail to E. Finley regarding updates time summaries; e-mail from D. Mitchell, E. Finley and P. Patel regarding intellectual property asset sale agreement; e-mail from E. Finley and P. Patel regarding intellectual property asset sale agreement; e-mail from E. Finley, B. Taylor, M. Wasserman and D. Rosenblat regarding lender payout; e-mail from B. Taylor and M. LaBossiere regarding motion in US to enforce Documents and Electronic Files Access Order;</p>	
September 4, 2020	DMM	<p>E-mails from counsel; e-mails to counsel; e-mails from client; e-mails from Hilco; telephone call to counsel; reviewing changes to settlement agreement; revising settlement agreement; e-mail from Colliers; e-mail from client; revising releases; e-mail exchange with counsel; telephone call from counsel; telephone call from client; e-mail exchange with counsel; e-mail from Mark Ramzy; revising IP closing documents; e-mail to Mark Ramzy; e-mail to client; telephone call from client; telephone call from counsel; e-mail exchange with counsel; e-mail to client; e-mail to lender's counsel; e-mail to Nygard counsel; telephone call to counsel; e-mail exchange with Oslers;</p>	4.20



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
September 4, 2020	GBT	email correspondence; EB Settlement Agreement matters; telephone conference with R. McFadyen, D. Mitchell; telephone discussion with E. Finley; various telephone discussions with D. Mitchell; finalize and circulate amendments to EB Settlement Agreement, releases; amend and circulate revised EB Settlement Agreement; IP sale matters; telephone discussions with E. Finley; lender payment matters; telephone discussion with D. Magisano; arrangements regarding execution of EB Settlement Agreement, releases; Debtor US motion regarding documents order; WO factoring debt matters;	6.30
September 4, 2020	MML	Reviewing various correspondence of August 31 - September 4, 2020; e-mail exchange with B Taylor and R. McFadyen regarding e-mail from W. Onchulenko regarding Subpoena and disclosure; e-mail exchange with B. Taylor and R. McFadyen regarding transcript of case conference; preparing transcript request; reviewing pleadings and emails regarding Subpoena;	3.70
September 5, 2020	RAM	E-mail from B. Taylor, D. Magisano and W. Onchulenko regarding signature pages regarding Edson's/Brause settlement; e-mail from B. Taylor, D. Rosenblat and D. Magisano regarding revisions to Release; e-mail from B. Taylor and J. Hall regarding motion to enforce Documents and Electronic Files Access Order; e-mail from4 D. Mitchell regarding intellectual property asset purchase;	0.80
September 5, 2020	DMM	E-mail exchange with M. Ramzy; e-	1.90



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		mail to client; e-mails from counsel; e-mails from Osler; e-mails from Lerner; attending at finalizing IP sale; telephone call from counsel; e-mail to M. Ramzy; e-mail to client; e-mail to Hilco;	
September 5, 2020	GBT	email correspondence; follow up regarding Settlement Agreement, Release signatures; review Documents and Electronic Files Access Order, June 10 email correspondence, circulate general response to Foreign Debtors motion; conference call P. Patel, A. Sherman, E. Finley, J. Hall, M. Rosensaft, Michael Rosella, M. LaBossiere; telephone discussion with M. LaBossiere; consider issues regarding Edson's/Brause, Lender Nygard Organization Mutual Release Agreement; telephone discussion with D. Rosenblat, follow up with D. Magisano; telephone discussion with D. Mitchell; telephone discussion with W. Onchulenko; review email correspondence; telephone discussion with D. Rosenblat, follow up with counsel;	5.20
September 6, 2020	RAM	E-mail from J. Dacks, D. Rosenblat, D. Magisano and B. Taylor regarding Edson's/Brause settlement, releases; e-mail from and e-mail to B. Taylor and M. LaBossiere regarding issues regarding motion to enforce Documents and Electronic Files Access Order; reviewing and considering Documents and Electronic Files Access Order, correspondence regarding [REDACTED]; e-mail to and conference with B. Taylor and M. LaBossiere regarding F [REDACTED] [REDACTED] conference call with M. LaBossiere and B. Taylor	1.70



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		regarding response to US motion regarding Documents and Electronic Files Access Order; e-mail to P. Patel, A. Sherman and E. Finley r [REDACTED];	
September 6, 2020	DMM	E-mails from counsel; e-mail from Oslers; e-mails from Lerner's; e-mail exchange with counsel; reviewing receiver's report; e-mail to counsel; e-mail exchange with counsel; e-mail from counsel; e-mail from Lerner's;	1.00
September 6, 2020	GBT	email correspondence; EB Settlement, release matters; telephone conference with W. Onchulenko, D. Magisano; review email correspondence, documents, prepare US DEFA motion draft response outline, and circulate; consider comments;	6.90
Total Fees			\$ 40,465.50
GST/HST on Fees			\$ 2,023.28
RST on Fees			\$ 2,832.59
Total Fees, Disbursements and Taxes			\$ 45,700.89

GST Registration No. 121757413

Interest will be charged at the rate of 7% per annum on unpaid invoices calculated from a date that is one month after the date of this invoice.



**THOMPSON
DORFMAN
SWEATMAN**

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Winnipeg MB R3C 0V1
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Tel (204) 957-1930
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general email: info@tdslaw.com

September 16, 2020

Richter Advisory Group Inc.
Receiver Nygard International Partnership
Bay Wellington Tower
3510 - 181 Bay Street
Toronto ON M5J 2T3

Attention: Pritesh Patel, Partner

Invoice No. 618032 – Ending September 13, 2020

Re: Claim against Nygard International Partnership Receivership
Our Matter No. 65803 0173004 GBT

REMITTANCE COPY

Total Fees	\$	38,933.50
Total Disbursements	\$	13,954.60
Total GST/HST	\$	2,617.34
Total RST	\$	2,725.35
 Total Due This Invoice	 \$	 58,230.79

Please return this page with your payment payable to Thompson Dorfman Sweatman LLP.

GST Registration No. 121757413

Interest will be charged at the rate of 7% per annum on unpaid invoices calculated from a date that is one month after the date of this invoice.



**THOMPSON
DORFMAN
SWEATMAN**

242 Hargrave Street, Suite 1700
Winnipeg MB R3C 0V1
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Tel (204) 957-1930
Fax (204) 934-0570
www.tdslaw.com
general email: info@tdslaw.com

September 16, 2020

Richter Advisory Group Inc.
Receiver Nygard International Partnership
Bay Wellington Tower
3510 - 181 Bay Street
Toronto ON M5J 2T3

Attention: Pritesh Patel, Partner

Invoice No. 618032 – Ending September 13, 2020

Re: Claim against Nygard International Partnership Receivership
Our Matter No. 65803 0173004 GBT

Disbursements:

Paid to	Court Reporters - Trial Transcripts PAYEE: Veritext Litigation Solutions Canada, Inc.; REQUEST#: 305900; DATE: 9/10/2020. - Transcript Nygard Holdings Invoice no. 22163	\$	173.75	*
Paid to	Agents Fees PAYEE: Chaitons LLP; REQUEST#: 305969; DATE: 9/11/2020. - Invoice no. 277712 File 007996-65696	\$	13,086.00	*
Paid to	Miscellaneous (Non-Taxable) PAYEE: Chaitons LLP; REQUEST#: 305969; DATE: 9/11/2020. - Invoice no. 277712 File 007996-65696	\$	441.30	
Paid to	Miscellaneous PAYEE: Chaitons LLP; REQUEST#: 305969; DATE: 9/11/2020. - Invoice no. 277712 File 007996-65696	\$	34.30	*
Paid to	Court Fees PAYEE: Pierce, Christian; REQUEST#: 305991; DATE: 9/11/2020. - Notice of Motion	\$	100.00	
Paid to	Legal Data Resources Corp.	\$	44.00	*
Paid to	Imaging	\$	75.25	*
Total Disbursements		\$	13,954.60	
*GST/HST on Taxable Disbursements		\$	670.66	

Our fees for all professional services:



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
September 6, 2020	MML	Conference call with B. Taylor and R. McFadyen regarding Foreign Debtor Motion; e-mail exchange with B. Taylor and R. McFadyen regarding EB settlement; reviewing position of receiver; e-mail exchange with B. Taylor and R. McFadyen regarding previous correspondence regarding Grand Jury Subpoena; e-mail exchange with B. Taylor and R. McFadyen regarding response to motion; reviewing response to motion; e-mail exchange with R. McFadyen and B. Taylor regarding response to motion;	5.30
September 7, 2020	RAM	E-mail from B. Taylor regarding response to production request; e-mail from B. Taylor and D. Rosenblat regarding finalizing Edson's/Brause settlement; conference call with J. Hall, M. Rosensaft, P. Patel, E. Finley, B. Taylor and M. LaBossiere regarding motion in US to enforce Documents and Electronic Files Access Order; conference call with and e-mail to B. Taylor and M. LaBossiere regarding information regarding Grand Jury Subpoena; reviewing pleadings regarding Grand Jury Subpoena references; reviewing and considering revised draft response to motion in US;	1.20
September 7, 2020	DMM	E-mails from counsel; e-mail to MLT regarding water adjustment; e-mail from MLT regarding water adjustment; e-mail from Oslers; e-mail from counsel; e-mails from counsel;	0.60
September 7, 2020	GBT	email correspondence; conference call P. Patel, J. Hall, M. Rosensaft, M. Rosella, R. McFadyen, M. LaBossiere; telephone discussion with R.	3.80



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		McFadyen, M. LaBossiere; prepare and circulate revised draft Foreign Debtors Motion response outline;	
September 7, 2020	MML	Conference call with B. Taylor, R. McFadyen, P. Patel, J. Hall and M. Rosensaft regarding Foreign Debtor Motion; conference call with B. Taylor and R. McFadyen regarding Foreign Debtor Motion; e-mail exchange with B. Taylor and R. McFadyen regarding pleadings and previous correspondence regarding Grand Jury Subpoena; e-mail exchange with B. Taylor and R. McFadyen regarding updates response to motion; reviewing updated response to motion; e-mail exchange with R. McFadyen and B. Taylor regarding updated response to motion; e-mail exchange with B. Taylor and R. McFadyen regarding Notice of Motion regarding Edson's/Brause settlement;	1.40
September 8, 2020	RAM	E-mail from B. Taylor, D. Mitchell, D. Rosenblat and D. Magisano regarding update on finalizing Edson's / Brause settlement and releases; E-mail from B. Taylor, P. Patel, J. Hall and M. Rosensaft regarding response to W. Onchulenko and D. Magisano regarding document disclosure; reviewing time summary for report; e-mail to E. Finley regarding updated time summary; Conference call with J. Dacks, M. Wasserman, P. Patel and B. Taylor regarding update regarding settlement and lender payout; Conference call with P. Patel, E. Finley, B. Taylor and M. LaBossiere regarding settlement, further report and other issues; e-mail to J. Hall and M. Rosensaft regarding F██████████; e-mail to W. Haight and	2.80



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		J. Aiello regarding Nygard International Partnership litigation and offers to discontinue; e-mail from P. Patel regarding draft Seventh Report; e-mail from B. Taylor regarding response regarding subpoena production requirements; reviewing and considering draft Seventh Report;	
September 8, 2020	DMM	E-mails from counsel; e-mail from Oslers; e-mail exchange with counsel; e-mail to Lerner; preparing settlement agreement for signature; e-mail exchange with Lerner; revising release; e-mail to Lerner; e-mail exchange with Lerner; e-mail to Lerner; e-mail to Osler; e-mails to client;	1.80
September 8, 2020	GBT	email correspondences; prepare and circulate draft response to W. Onchulenko, D. Magisano; review revised Lender/Nygard Mutual Release Agreement, and follow up; telephone discussion with J. Hall; conference call arrangements; conference call P. Patel, E. Finley, M. Wasserman, J. Dacks, D. Rosenblatt, R. McFadyen, M. LaBossiere; conference call P. Patel, E. Finley, R. McFadyen, M. LaBossiere; finalize subpoena production message to counsel; Settlement Agreement matters;	4.70
September 8, 2020	MML	E-mail exchange with B. Taylor, R. McFadyen, J. Hall, M. Rosensaft, P. Patel, E. Finley and A. Sherman regarding response to Motion; reviewing draft response; conference call with M. Wasserman, J. Dacks, P. Patel, E. Finley, B. Taylor and R. McFadyen; conference call with P. Patel, E. Finley, B. Taylor and R. McFadyen;	1.60



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
September 9, 2020	RAM	E-mail from M. Rosensaft regarding disclosure [REDACTED]; e-mail to and e-mail from W. Onchulenko r [REDACTED] e-mail from D. Mitchell, B. Taylor and D. Magisano regarding finalizing Edson's / Brause settlement; e-mail from and e-mail to B. Taylor and M. LaBossiere regarding draft Seventh Report and draft Notice of Motion for regarding settlement approval; e-mail from P. Patel and M. Wasserman regarding repayment of funds from lenders; e-mail from M. LaBossiere and B. Taylor regarding unsealing of documents; e-mail from M. LaBossiere regarding draft Notice of Motion for settlement approval;	0.90
September 9, 2020	DMM	E-mail exchange with counsel; e-mail exchange with counsel; e-mail exchange with Lerner; reviewing releases; telephone call to counsel; e-mails from counsel; reviewing receiver's report; reviewing credit agreement; e-mail to counsel; telephone call from counsel; reviewing security; e-mails from counsel; e-mail to client;	2.20
September 9, 2020	GBT	email correspondence; review, revise and circulate draft 7th Report; EB Settlement Agreement, Release matters; consider motion to approve EB Settlement; telephone discussions with D. Mitchell; telephone discussion with M. LaBossiere regarding provisions of Notice of Motion, Order; review Credit Agreement regarding early termination fee; opinion matters; further revisions to draft Receiver's 7th Report; consider issues regarding redaction; review draft Notice of	5.80



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		Motion;	
September 9, 2020	MML	Preparing Notice of Motion; preparing order; telephone call to B. Taylor; telephone call from B. Taylor regarding Notice of Motion; e-mail exchange with B. Taylor, R. McFadyen and D. Mitchell regarding settlement documents; e-mail from P. Patel regarding e-mail to Osler regarding overpayments; e-mail from M. Rosensaft regarding Morvillo;	3.40
September 10, 2020	RAM	E-mail from B. Taylor, D. Magisano and P. Patel regarding settlement approval and implementation; e-mail from B. Taylor and J. Hall regarding recognition order for settlement approval; e-mail from Federal Court Registrar regarding status update; reviewing and considering draft Notice of Motion for approval of settlement; conference call with D. Magisano, W. Onchulenko, B. Taylor and M. LaBossiere regarding settlement approval; e-mail from D. Rosenblat regarding draft Seventh Report; e-mail from and e-mail to M. Rosensaft regarding subpoena issues; e-mail from and e-mail to B. Taylor, M. LaBossiere and P. Patel regarding finalizing Notice of Motion for settlement approval; e-mail from B. Taylor, M. LaBossiere, P. Patel and E. Finley regarding finalizing Seventh Report; e-mail from V. Gifford regarding closing agenda for settlement; e-mail from M. LaBossiere and B. Taylor regarding unsealing of confidential documents; e-mail from M. LaBossiere regarding filing and service Notice of Motion for settlement approval;	2.10



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
September 10, 2020	DMM	E-mail exchange with Oslers; e-mail from counsel; preparing for conference call with client and Colliers; conference call with client and Colliers; e-mail from Lerner; e-mail from Oslers; voice mail from Colliers; telephone call to Colliers; e-mail from MLTA; telephone call to counsel; e-mails from counsel; telephone call to client; telephone call to counsel; e-mail to Colliers and client; attending to assembling release documents; e-mails from counsel; e-mails from client; reviewing list of documents to be unsealed; e-mail exchange with counsel; e-mails from counsel; attending to assembling release documents; e-mail exchange with counsel; preparing e-mail to counsel regarding releases;	4.40
September 10, 2020	GBT	email correspondence; review E/B Settlement Agreement, revise and circulate draft Notice of Motion; conference call D. Magisano, W. Onchulenko, R. McFadyen, M. LaBossiere; consider unsealing documents and follow up; telephone discussion with J. Dacks, D. Rosenblat; telephone discussion with D. Magisano; consider comments re draft 7th Report, and follow up; follow up re signed releases; telephone discussion with M. LaBossiere re motion materials, service; telephone discussion with D. Mitchell re Inkster sale matters; review revised draft 7th Report; further follow up re release signature pages, escrow; further revisions to E/B Settlement Approval Notice of Motion; telephone discussion with M. LaBossiere re amendments to draft order re unsealing documents; consider issues re Farber	9.40



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		account, "charge"; telephone discussions with P. Patel; further telephone discussion with M. LaBossiere to finalize draft Notice of Motion, Order; further telephone discussion with J. Dacks, D. Rosenblat; reply to Farber charge matters; filing and service matters;	
September 10, 2020	MML	Conference call with B. Taylor, R. McFadyen, D. Magisano and W. Onchulenko regarding settlement motions; preparing Order; telephone call from B. Taylor regarding Order; preparing Notice of Motion; e-mail exchange with P. Patel, A. Sherman and E. Finley regarding confidential appendix, e-mail to D. Magisano regarding Notice of Motion; e-mail exchange with B. Taylor, R. McFadyen and D. Mitchell regarding confidential appendices; telephone call from B. Taylor regarding confidential appendices; e-mail exchange with B. Taylor, R. McFadyen, D. Mitchell, P. Patel, A. Sherman and E. Finley regarding confidential appendices; preparing Notice of Motion; e-mail exchange with C. Howden, D. Rosenblat and J. Dacks regarding Notice of Motion and Order; e-mail exchange with B. Taylor, R. McFadyen, D. Magisano and W. Onchulenko regarding proposal trustee funds; e-mail exchange with W. Onchulenko and D. Magisano regarding Notice of Motion and Order; e-mail to Cheryl Laniuk regarding Notice of Motion; e-mail to Service List regarding Notice of Motion; preparing confidential appendix;	9.00
September 11, 2020	RAM	E-mail from D. Magisano, M. Wasserman and B. Taylor regarding	0.70



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		settlement, proposal trustee position and fees; e-mail from M. Rosensaft and B. Taylor regarding subpoena production issues; e-mail from and e-mail to Federal Court registrar and W. Haight regarding Federal Court action; e-mail from Registrar regarding filing of Notice of Motion for settlement approval and teleconference details; e-mail from K. Hashmi regarding landlord issues; e-mail from E. Finley regarding final Seventh Report; e-mail from M. LaBossiere regarding filing, service of Seventh Report and Motion Brief of the Receiver; e-mail from M. Rosensaft and P. Patel regarding Notre Dame pictures;	
September 11, 2020	DMM	E-mails from counsel; e-mails from Oslers; e-mails from Lerner; e-mail exchange with client; e-mails from counsel;	0.90
September 11, 2020	GBT	email correspondence; US civil action document matters; follow up re Farber account issues, EB Settlement Approval motion; telephone discussion with M. Wasserman, J. Dacks; telephone discussion with D. Magisano; voice message to W. Onchulenko; review draft Brief; telephone discussion with M. LaBossiere to revise draft Brief; telephone discussion with W. Onchulenko; telephone conference P. Patel, J. Hall, M. Rosensaft, M. LaBossiere; telephone discussion with D. Jackson; telephone discussion with S. Kukulowicz, D. Jackson; follow up re Farber arrangements; hearing matters;	5.80
September 11, 2020	MML	Telephone call from B. Taylor; e-mail exchange with P. Patel, E. Finley and	6.80



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		A. Sherman regarding Seventh Report; preparing Seventh Report; preparing Confidential Appendix, e-mail to Cheryl Laniuk regarding Seventh Report; e-mail to Service List regarding Seventh Report; e-mail exchange with K. Palynchuk regarding transcript; e-mail to B. Taylor and R. McFadyen regarding transcript; reviewing transcript; preparing Motion Brief of the Receiver; preparation of Affidavit of Service; conference call with M. Rosensaft, J. Hall, R. McFadyen and B. Taylor regarding Subpoena; e-mail to J. Hall, M. Rosensaft, R. McFadyen and B. Taylor regarding transcript review;	
September 12, 2020	RAM	E-mail from and e-mail to B. Taylor and M. LaBossiere regarding response to motion regarding document production; e-mail from B. Taylor and W. Onchulenko regarding Notice of Motion for withdraw proposal;	0.30
September 12, 2020	GBT	email correspondence; consider hearing matters;	0.60
September 12, 2020	MML	Preparing hearing materials; reviewing hearing materials; e-mail exchange with B. Taylor regarding hearing materials; preparing Affidavit of Service; file affidavit of service;	5.10
September 13, 2020	RAM	E-mail from S. Kukulowicz and H. Levy regarding motion to withdraw NOI; e-mail to and e-mail from B. Taylor and M. LaBossiere regarding motion to withdraw NOI; e-mail from and e-mail to B. Taylor and M. LaBossiere regarding draft Notice of Motion for withdraw NOI; reviewing and considering draft Notice of Motion for withdraw NOI; conference call	2.20



<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>
		with B. Taylor and M. LaBossiere regarding draft Notice of Motion for withdraw NOI and documents; e-mail from B. Taylor and P. Patel regarding access to records and documents; e-mail from W. Onchulenko regarding Notice of Motion for withdraw NOI and Affidavit of G. Fenske; e-mail from and e-mail to M. LaBossiere and B. Taylor regarding Notice of Motion for withdraw NOI, Affidavit of G. Fenske and Motion Brief; e-mail from J. Hall regarding draft opposition;	
September 13, 2020	GBT	email correspondence; review court materials and prepare hearing; telephone conference with R. McFadyen, M. LaBossiere; telephone discussion with P. Patel; prepare and circulate draft response to E/B electronic files access; NOI motion matters; Debtor motion matters;	5.70
September 13, 2020	MML	Preparing hearing materials; reviewing hearing materials; conference call with B. Taylor and R. McFadyen regarding hearing; e-mail from L. Feldman regarding Respondent Materials; reviewing Notice of Motion; reviewing Order; reviewing Confidential Motion Brief;	4.80
Total Fees			\$ 38,933.50
GST/HST on Fees			\$ 1,946.68
RST on Fees			\$ 2,725.35
Total Fees, Disbursements and Taxes			\$ 58,230.79



Interest will be charged at the rate of 7% per annum on unpaid invoices calculated from a date that is one month after the date of this invoice.

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July 14, 2020

VIA EMAIL: gbenchaya@richterconsulting.com

Gilles Benchaya
Partner
Richter Advisory Group Inc.
200 South Wacker Drive, Suite 3100
Chicago, IL 60606

Re: Nygard Chapter 15 Proceeding

Dear Gilles:

I hope this letter finds you and yours healthy and safe.

Attached please find our Billing Statement for services rendered and expenses incurred in connection with Nygard Chapter 15 Proceeding for the period of **June 1, 2020** through and including **June 30, 2020** (the "Fee Period") in the amount of **\$99,926.07**. As a courtesy to you and to be sensitive on our fees, I have not billed a substantial portion of my time (over 10 hours) for this Fee Period.

Moreover, there is a balance owing from our May 2020 Billing Statement in the amount of **\$32,871.57**. Accordingly, the total amount due at this time is **\$132,797.64**. For your convenience, we have attached the May 2020 Billing Statement along with the June 2020 Billing Statement.

The work we performed during the Fee Period included, among other things:

- Attending to multiple issues regarding litigation and claims by and against the Debtors in U.S. courts, including the grand jury subpoena and document production, claims asserted by Dillard's and Chico's, and Blueprint litigation;
- Preparing response to 1435 Broadway's motion to compel rejection of a certain lease, and attending a hearing on this motion on behalf of the Foreign Representative;
- Working to resolve 1435 Broadway's motion and preparing a motion, at the direction of the Bankruptcy Court, for relief from the automatic stay to allow 1435 Broadway to draw down on any letter of credit and to retain any security deposit it currently holds under the relevant lease;

July 14, 2020
Page 2

- Attending to issues regarding surrender of the premises leased by Nygard International from 1435 Broadway;
- Preparing letters and information requests for missing Nygard vehicles to the Department of Motor Vehicle for Florida and California;
- Researching information on the directors and officers of Edson's Investments; and
- Attending to calls, correspondence and other matters in respect to all of the foregoing.

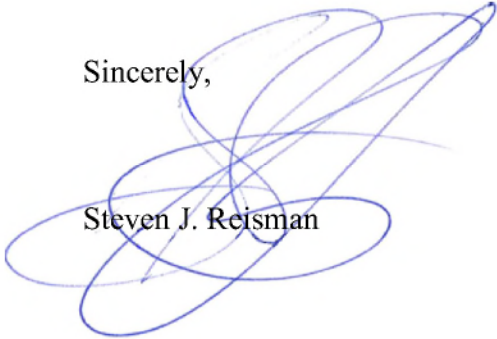
We would appreciate the processing of the attached Billing Statements for payment at your earliest convenience. If you have any questions, please feel free to contact me at (212) 940-8700 or at sreisman@katten.com.

It is our privilege and pleasure to be of service, and we appreciate and value the trust and confidence you have placed in us.

Be safe, be smart, be healthy, be kind, be generous, be patient and be positive.

My best.

Sincerely,



Steven J. Reisman

Attachments

cc: Jerry Hall, Esq. (w/attachments, By Email: jerry.hall@katten.com)
(Katten Muchin Rosenman LLP)

Katten

Direct Billing Inquiries to:
Lisa Quintana
212-940-8573
lisa.quintana@katten.com

575 Madison Avenue
New York, NY 10022-2585

July 14, 2020

Richter Advisory Group Inc.
Attn: Gilles Benchaya
200 South Wacker Drive, Suite 3100
Chicago, IL 60606

Invoice No. 1301631908
Client No. 393878
Matter No. 00001

FEIN: 36-2796532

Re: Nygard Chapter 15 Proceeding (393878.00001)

For legal services rendered through June 30, 2020.....	\$99,545.00
Disbursements and other charges.....	\$381.07

CURRENT INVOICE TOTAL: \$99,926.07

Disbursements and other charges incurred which have not yet been posted as of the above date will be billed at a later date.

Katten Muchin Rosenman LLP is an Illinois limited liability partnership including professional corporations that has elected to be governed by the Illinois Uniform Partnership Act (1997).
Katten Muchin Rosenman UK LLP is a limited liability partnership of solicitors and Registered Foreign Lawyers registered in England and Wales.

PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
01 Jun 20	Rosensaft, Michael M.	Address issues for email production	0.50
01 Jun 20	Hall, Jerry L.	Call with J. Bauchner and others regarding 1435 Broadway premises	0.30
02 Jun 20	Hall, Jerry L.	Email with B. Leinbach and E. Finley regarding recent wire transfer	0.40
02 Jun 20	Nussbaum, Jake	Meet with R. Brady to determine protocol for unpacking ESI from company; review hard drive of data and determine if it can be accessed remotely	0.90
04 Jun 20	Rosensaft, Michael M.	Review emails for production	1.00
04 Jun 20	Rosella, Michael	Coordinate with Katten Library to run searches to determine the directors and officers of Edson's Investments, Inc. as of the petition date and currently; follow-up discussions regarding same with Library and J. Hall; research publicly-available information regarding Edson's directors and officers	2.30
05 Jun 20	Hall, Jerry L.	Call with P. Patel regarding stay motion and related matters; call with C. Harwood and others regarding class action case status; call with M. Rosella regarding stay motion and related matters; email with D. Mitchell regarding Edson Investments research (including review of additional research)	1.40
05 Jun 20	Reisman, Steven	Update regarding 1435 Broadway Motion to compel rejection of lease and efforts to reach resolution of same	0.80
05 Jun 20	Rosella, Michael	Follow-up discussions with the Library and J. Hall regarding Edson's Investments director and officer information; review 1435 Broadway's motion to compel rejection of a certain lease or receive relief from the automatic stay to address postpetition rent payments; discussions with J. Hall regarding response to motion; review sample responses and objections to stay relief motions and motions to compel rejection of executory contracts; review relevant Bankruptcy Code provisions and research related case law with respect to shortening a debtor's statutory period for assuming or rejecting executory contracts and unexpired leases	5.40
06 Jun 20	Rosella, Michael	Begin to prepare Response to 1435 Broadway motion to compel rejection of lease or receive relief from the automatic stay to address postpetition rent payments; review recent bankruptcy court orders and opinions granting rent relief for retail debtors; research and review relevant New York executive orders regarding moratorium on eviction actions for nonpayment of rent for commercial tenants; research remedies for violations of section 365(d)(3) of the Bankruptcy Code, and prepare corresponding section of Response; review law on abandonment of property in New York; review declaration accompanying 1435 Broadway motion	6.80

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
07 Jun 20	Rosella, Michael	Review law on relief from the automatic stay under section 362(d) of the Bankruptcy Code, including reviewing sample motions and objections regarding stay relief; prepare section of Response regarding 1435 Broadway not being entitled to relief from the automatic stay to address postpetition rent payments; review law on abandonment of leased property and duty to mitigate damages in New York; review and revise Response; communications regarding Response with J. Hall	6.50
08 Jun 20	Rosensaft, Michael M.	Call with prosecutors regarding production; communications with client regarding same	1.50
08 Jun 20	Hall, Jerry L.	Revise response to stay motion (1435 Broadway); call and email with P. Patel regarding response to 1435 Broadway; email with M. Rosella regarding response to stay motion; email among P. Patel, M. Rosensaft and others regarding grand jury subpoena	2.60
08 Jun 20	Nussbaum, Jake	Coordinate production to counsel for Peter Nygard; draft cover letter for production	1.50
08 Jun 20	Rosella, Michael	Review and revise response to stay relief motion, including responding to comments from J. Hall regarding rent relief available to New York City commercial tenants	1.50
09 Jun 20	Rosensaft, Michael M.	Communications with prosecutors regarding production	1.00
09 Jun 20	Hall, Jerry L.	Email with M. Rosensaft regarding data preservation issues; email with E. Finley regarding Chico's claims	0.50
09 Jun 20	Rosella, Michael	Research and review cases holding that the remedy for a section 365(d)(3) violation is an administrative expense claim and not immediate payment of past-due obligations; prepare email with research to J. Hall; review and revise Response to incorporate J. Hall comments	2.40
10 Jun 20	Rosensaft, Michael M.	Communications with client regarding production; communications with Nygard counsel regarding same; prepare production	1.90
10 Jun 20	Hall, Jerry L.	Email and (separate) calls with P. Patel and R. Moreira regarding rent and rent abatement; email with P. Patel regarding information preservation and related matters; email with J. Bauchner, D. Magisano and others regarding stay motion and intent to vacate 1435 Broadway	1.40
10 Jun 20	Nussbaum, Jake	Draft cover letter to DOJ regarding new production; coordinate sending of production to counsel for P. Nygard	0.60
10 Jun 20	Reisman, Steven	Review proposal to landlord of 1435 Broadway regarding removal of property, ability to assert claim and lack of additional monetary compensation to be paid by receiver	0.30
10 Jun 20	Rosella, Michael	Review case law regarding abandonment of leasehold	1.50

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
		interest and incorporate into Response to stay relief motion; review and revise section of Response opposing compelling rejection of the lease	
11 Jun 20	Siena, Marie	File response to stay relief motion on the court's docket; attend to emails regarding the same	0.50
11 Jun 20	Rosensaft, Michael M.	Call with client to discuss production; communications with Nygard counsel; prepare production for US Attorney's Office	2.80
11 Jun 20	Hall, Jerry L.	Revise response to stay motion; call and email with P. Patel regarding 1435 Broadway and related matters; research regarding abandonment; calls with M. Rosella regarding response to stay motion; email among J. Bauchner and others regarding lease (1435 Broadway)	3.80
11 Jun 20	Sampaio, Gabriela	Conduct research on whether a debtor may abandon property as part of its rejection of a non-residential lease under section 365 of the Bankruptcy Code; research how landlords have resisted property abandonment; research claims landlords have typically asserted as a result of property abandonment; draft summary of findings; circulate same to J. Hall	4.10
11 Jun 20	Rosella, Michael	Prepare preliminary statement for Response to stay relief motion; review Local Rules for information on objection deadlines; review and revise Response to incorporate comprehensive J. Hall comments and new information received from the client; revise argument opposing relief from the automatic stay to seek payment of rent to reflect J. Hall comments; extensive discussions with J. Hall regarding same; coordinate filing the Response with J. Hall and M. Siena	6.00
12 Jun 20	Hall, Jerry L.	Email with J. Bauchner regarding proposal to reject 1435 Broadway; review additional research regarding abandonment; email with D. Magisano and W. Onchulenko regarding access to 1435 Broadway; call with G. Benchaya and others regarding Dillard's claims	1.40
15 Jun 20	Rosensaft, Michael M.	Communications with receiver regarding production and Canadian proceedings; review documents for production	1.70
15 Jun 20	Hall, Jerry L.	Email with P. Patel regarding rejection of 1435 Broadway; email among J. Park, D. Magisano and others regarding Gardena property offer	0.40
16 Jun 20	Rosensaft, Michael M.	Review documents to be produced to US Attorney's Office; call with US Attorney's Office; call with IT personnel regarding document retention	2.60
16 Jun 20	Hall, Jerry L.	Call with J. Bauchner regarding resolution of stay motion; revise draft order resolving stay motion; email with R. Moreira regarding rent and related matters (1435 Broadway sub-tenancy); email with P. Patel regarding rejection of 1435 Broadway	0.90
16 Jun 20	Nussbaum, Jake	Review and summarize five productions thus far to DOJ for M. Rosensaft	2.60

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
16 Jun 20	Rosella, Michael	Prepare proposed order regarding 1435 Broadway stay relief motion; discussions with J. Hall regarding same; revise proposed order and review J. Hall changes	2.00
17 Jun 20	Rosenshaft, Michael M.	Prepare for and have call with IT personnel regarding document retention	1.50
17 Jun 20	Hall, Jerry L.	Email and call with M. Rosella regarding information requests for missing vehicles; call with B. Taylor regarding document and property access matters; email with J. Bauchner regarding stay motion hearing; email among A. Rubinfeld and others regarding access to property and documents; email with C. Harwood regarding status letter for court; revise status letter to court; email with P. Patel, B. Taylor and others regarding status letter to court	2.20
17 Jun 20	Reisman, Steven	Review emails by and between J. Hall and J. Bauchner regarding draft order rejection of lease and abandonment of property at 1435 Broadway; follow-up regarding matters related to same	0.60
17 Jun 20	Rosella, Michael	Prepare letter to Florida Department of Motor Vehicle regarding Nygard Group vehicles that may have been registered to a third party; research proper DMV entity to address letter; review California DMV Attorney Information Request Form regarding missing vehicles; discussions regarding same with J. Hall; discussions with J. Hall and M. Siena regarding upcoming hearing on stay relief motion; prepare email to W. Freeman regarding signing California DMV Attorney Information Request Form	3.60
18 Jun 20	Freeman, William B.	Review and analyze request and documentation for California DMV material	0.50
18 Jun 20	Freeman, William B.	Analyze legal issues with J. Hall	0.40
18 Jun 20	Rosenshaft, Michael M.	Review documents for production to US Attorney's Office; draft letter for US Attorney's Office; prepare information in response to requests from US Attorney's Office	4.10
18 Jun 20	Hall, Jerry L.	Review stay motion, response and draft consent order in preparation for hearing; email with J. Bauchner regarding stay motion and consent order; call with P. Patel regarding 1435 Broadway; attend hearing of stay motion; email and call with C. Harwood regarding status letter to court; revise letter to FL DMV; call with F. Torrence regarding Blueprint litigation; call and email with B. Freeman regarding CA missing vehicle forms; email with P. Schwartzberg regarding stay relief order	3.30
18 Jun 20	Nussbaum, Jake	Analyze productions folders from client to organize for M. Rosenshaft; draft cover letter for new production and regarding-production of older files to DOJ including descriptions of files contained therein	2.40
18 Jun 20	Rosella, Michael	Prepare notice of proposed order regarding the stay	2.10

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
		relief motion; discussions regarding same with J. Hall; review Bankruptcy Rule regarding notice required for proposed order; discussions with J. Hall and M. Siena regarding Florida DMV letter and California DMV forms	
18 Jun 20	Lawrence, Carl M.	Review and prepare materials for production in response to grand jury subpoena; review and update prior production materials with updated naming convention for regarding-production to US Attorney's office	5.80
19 Jun 20	Siena, Marie	Complete several California DMV forms requesting vehicle information; revise letter to Florida DMV; emails with J. Hall and M. Rosella regarding the same	3.40
19 Jun 20	Rosensaft, Michael M.	Produce documents to US Attorney's Office in response to grand jury subpoena	1.40
19 Jun 20	Hall, Jerry L.	Email with P. Patel and others regarding Blueprint litigation; email among J. Bauchner and others regarding stay motion order and surrender of premises	0.70
19 Jun 20	Nussbaum, Jake	Revise letter to DOJ regarding grand jury subpoena response based on comments from M. Rosensaft; prepare production for delivery to DOJ; draft letter to counsel to P. Nygard regarding productions made to DOJ	1.80
19 Jun 20	Rosella, Michael	Cotinue to prepare notice of proposed order on stay relief motion and coordinate filing; review California DMV forms prepared by M. Siena; extensive discussions regarding same and logistics for having forms signed and mailed with M. Siena; review and revise Florida DMV letter and prepare for J. Hall signature	2.40
22 Jun 20	Rosensaft, Michael M.	Finalize production to Nygard counsel; call with US Attorney's Office	1.40
22 Jun 20	Hall, Jerry L.	Call with M. Rosella regarding stay relief motion; email with B. Freeman regarding CA missing vehicle forms; review third report of the Receiver	0.90
22 Jun 20	Nussbaum, Jake	Prepare productions and deliver to counsel for P. Nygard	0.60
22 Jun 20	Rosella, Michael	Review sample stay relief motions filed by debtors; research case law regarding whether letters of credit are property of the bankruptcy estate and subject to the automatic stay; review Rule 4001(d) provisions and research related motions; prepare stay relief motion seeking to authorize 1435 Broadway to draw down on any letter of credit and retain any security deposit it currently holds pursuant to the lease; prepare notice of stay relief motion and proposed form of order	8.70
23 Jun 20	Rosensaft, Michael M.	Prepare for and have call with prosecutors regarding subpoena; produce documents to Nygard counsel	1.40
23 Jun 20	Rosella, Michael	Review correspondence regarding California DMV forms and status of filing forms	0.50

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
24 Jun 20	Rosensaft, Michael M.	Communications with client regarding production and document issues; review production; communications with prosecutor	2.10
24 Jun 20	Hall, Jerry L.	Call among M. Rosensaft, P. Patel and others regarding document preservation; revise stay motion (1435 Broadway); email with M. Rosella regarding filing stay motion (1435 Broadway)	1.70
24 Jun 20	Nussbaum, Jake	Meet with M. Rosensaft regarding P. Nygard grand jury subpoena	0.50
24 Jun 20	Rosella, Michael	Review J. Hall comments and edits to debtors' stay relief motion regarding letter of credit draws and retention of security deposit	1.20
25 Jun 20	Rosella, Michael	Review and revise debtors' stay relief motion to reflect further J. Hall comments; prepare motion for filing; review Rule 4001(d) to determine scope of service for motion	1.60
26 Jun 20	Hall, Jerry L.	Review Blueprint settlement and case assessment documents (from G. Benchaya)	0.70
26 Jun 20	Rosella, Michael	Review updated draft of stay motion circulated by J. Hall; review correspondence regarding same	0.50
27 Jun 20	Hall, Jerry L.	Review [REDACTED] Purchase Order; review revised stay motion (1435 Broadway)	1.10
28 Jun 20	Hall, Jerry L.	Revise joint defense agreement; email and call with G. Benchaya regarding joint defense agreement	1.30
29 Jun 20	Siena, Marie	File stay relief motion; draft certificate of service for stay relief motion; emails with M. Rosella and J. Hall regarding the same	1.00
29 Jun 20	Rosensaft, Michael M.	Communications with Nygard counsel regarding production	0.60
29 Jun 20	Hall, Jerry L.	Email with P. Patel and others regarding potential litigation dismissal; email among M. Rosella and M. Siena regarding stay motion; call among D. Worley, G. Benchaya, J. Amato and others regarding Blueprint litigation; email with B. Freeman regarding California missing vehicle request	1.10
29 Jun 20	Rosella, Michael	Review and finalize stay relief motion; coordinate filing with M. Siena	0.60
30 Jun 20	Hall, Jerry L.	Email among G. Benchaya and others regarding Blueprint mediation; call and email among G. Benchaya, J. Amato and others regarding Blueprint mediation	0.60
TOTALS:			136.10

SUMMARY OF PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

	Attorney or Assistant	Hours	Rate	Amount
43116	Freeman, William B.	0.90	1,170.00	\$1,053.00
44155	Hall, Jerry L.	26.70	1,080.00	\$28,836.00
45649	Lawrence, Carl M.	5.80	420.00	\$2,436.00
44618	Nussbaum, Jake	10.90	565.00	\$6,158.50
44842	Reisman, Steven	1.70	1,325.00	\$2,252.50
45177	Rosella, Michael	55.60	565.00	\$31,414.00
43195	Rosensaft, Michael M.	25.50	960.00	\$24,480.00
44638	Sampaio, Gabriela	4.10	460.00	\$1,886.00
41782	Siena, Marie	4.90	210.00	\$1,029.00
	TOTAL:	136.10		\$99,545.00

DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Date	Description	Amount
12 Jun 20	VENDOR: Federal Express Corp. INVOICE#: 703235442 DATE: 6/8/2020 From: Jake A. Nussbaum To: Rick Brady Katten Muchin Rosenman LLP 575 MADISON AVE,(Attn: Frank Gaddy),NEW YORK NY,10022 US: On: 6/4/2020; Tracking ID: 393474179005	11.33
19 Jun 20	Postage for USPS 1ST CL FL DEPT OF HIGHWAY 2900 APALACHEE PKWAY TALLAHASSE FL 32399 ENT BY LN	1.20
22 Jun 20	VENDOR: Hall, Jerry L. INVOICE#: 4187592406221851 DATE: 6/22/2020 Telephone charges for calls with client in Canada Telephone charges from March 24, 2020 to April 23, 2020 Date Incurred: 06/18/20	154.00
22 Jun 20	VENDOR: Hall, Jerry L. INVOICE#: 4187592406221851 DATE: 6/22/2020 Telephone charges for calls with client in Canada Telephone charges from April 24, 2020 to May 23, 2020 Date Incurred: 06/18/20	97.00
22 Jun 20	VENDOR: Hall, Jerry L. INVOICE#: 4187592406221851 DATE: 6/22/2020 Telephonic appearance at court hearing. Date Incurred: 06/18/20	70.00
30 Jun 20	Westlaw Legal Research: SAMPAIO,GABRIELA on 06/11/2020	47.54
TOTAL:		\$381.07

SUMMARY OF DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Description	Amount
Database/Library Research Services	47.54
Courier	12.53
Court Costs	321.00
TOTAL:	\$381.07

MATTER TOTAL: \$99,926.07

Katten

575 Madison Avenue
New York, NY 10022-2585

REMITTANCE

Please include this remittance advice with your payment to ensure proper account crediting

Attorney: 44842 - Steven Reisman
Client: 393878 - Richter Advisory Group Inc.
Matter: 00001 - Nygard Chapter 15 Proceeding

Invoice No.: 1301631908
Invoice Date: 14 Jul 20

Current Invoice Charges: \$99,926.07

PREVIOUS BALANCE DUE:

Invoice Date	Invoice No.	Matter	Invoice Total	Current Balance
17 Jun 20	1301627070	00001	32,871.57	32,871.57
TOTAL OUTSTANDING BALANCE :				<u>\$32,871.57</u>

TOTAL BALANCE DUE: \$132,797.64

Wire Instructions:

Reference: 393878.00001

JP Morgan Chase Bank
1211 Avenue of the Americas, 39th Floor
New York, New York 10036
ABA #021000021
Swift Code: CHASUS33

For Credit To: Katten Muchin Rosenman LLP
Operating Account
Account #967343933

When wiring a payment please fax a copy of the Remittance to Jean Monteforte at 212-940-7175

Please direct any billing inquiries to Lisa Quintana at 212-940-8573 or e-mail lisa.quintana@katten.com

Katten

Direct Billing Inquiries to:
Lisa Quintana
212-940-8573
lisa.quintana@katten.com

575 Madison Avenue
New York, NY 10022-2585

August 14, 2020

Richter Advisory Group Inc.
Attn: Gilles Benchaya
200 South Wacker Drive, Suite 3100
Chicago, IL 60606

Invoice No. 1301638386
Client No. 393878
Matter No. 00001

FEIN: 36-2796532

Re: Nygard Chapter 15 Proceeding (393878.00001)

For legal services rendered through July 31, 2020	\$52,437.00
Disbursements and other charges.....	\$1,006.75

CURRENT INVOICE TOTAL: \$53,443.75

Disbursements and other charges incurred which have not yet been posted as of the above date will be billed at a later date.

Katten Muchin Rosenman LLP is an Illinois limited liability partnership including professional corporations that has elected to be governed by the Illinois Uniform Partnership Act (1997).
Katten Muchin Rosenman UK LLP is a limited liability partnership of solicitors and Registered Foreign Lawyers registered in England and Wales.

PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
01 Jul 20	Freeman, William B.	Review and analyze DMV forms regarding potentially missing Nygard vehicles (.30)	0.30
01 Jul 20	Freeman, William B.	Research ability to seek DMV information in California (.70)	0.70
01 Jul 20	Rosella, Michael	Discussions with J. Hall and W. Freeman regarding California DMV forms (.50)	0.50
02 Jul 20	Freeman, William B.	Research ability to seek DMV information (.80)	0.80
02 Jul 20	Freeman, William B.	Review and execute DMV request forms and attend to follow-up emails with J. Hall (.30)	0.30
03 Jul 20	Hall, Jerry L.	Attend to email with B. Freeman regarding missing vehicle requests (.20); email with B. Taylor regarding receiver as remedy (.20)	0.40
06 Jul 20	Rosenshaft, Michael M.	Address issues for grand jury production (.20)	0.20
06 Jul 20	Rosella, Michael	Research UCC, California, and New York law on seeking appointment of a receiver as a remedy for a secured lender in the event of a breach of contract (3.10); research case law on whether contractual rights are exclusive of rights at law and in equity where the underlying contract does not state that rights are limited to those contained therein (2.00); prepare email with research to J. Hall (1.00)	6.10
07 Jul 20	Rosella, Michael	Prepare comprehensive fact sheet with summaries of the Debtors' businesses, the Canadian proceeding and the chapter 15 proceeding, key contact information of the various parties in interest, and the Debtors' corporate structure, for J. Hall (3.20)	3.20
10 Jul 20	Siena, Marie	Call with M. Rosella regarding revised notice (.20); conference call with J. Hall and M. Rosella regarding timing of filing and service of revised notice (.40)	0.60
10 Jul 20	Hall, Jerry L.	Email with B. Taylor regarding receivership rights (.40); email with P. Patel regarding surrender of 1431 Broadway (.20); call with M. Rosella and M. Siena revised notice of stay motion (.40)	1.00
10 Jul 20	Rosella, Michael	Review emails regarding service of stay relief motion to determine methods of service used (.50); discussions with J. Hall and M. Siena regarding developing strategy for revised notice of stay relief motion and serving notice on all parties in interest (.50); review original notice of stay relief motion (.20)	1.20
11 Jul 20	Hall, Jerry L.	Email from M. Rosella regarding revised notice of motion (.20)	0.20
11 Jul 20	Rosella, Michael	Prepare revised notice of stay relief motion and discussions with J. Hall regarding same (1.00)	1.00
12 Jul 20	Siena, Marie	Draft and revise certificate of service (.60); file revised notice on the court's docket (.20); review and revise mailing labels for service of same (.30)	1.10
12 Jul 20	Hall, Jerry L.	Revise notice of motion (.20); email among M. Rosella, M. Siena and others regarding notice of motion (.20); email among P. Pritesh, M. Rosella and	0.70

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
12 Jul 20	Rosella, Michael	others regarding motion to reject (.30) Prepare revised notice for filing and discussions with J. Hall and M. Siena regarding same (.80); review and revise certificate of service for stay relief motion (.30); research and review sample motions to reject executory contracts and unexpired leases (1.50); prepare motion to reject 1431 Broadway lease and discussions with J. Hall regarding same (2.50)	5.10
13 Jul 20	Siena, Marie	File certificate of service on the court's docket (.30); email with J. Hall regarding same (.10)	0.40
13 Jul 20	Hall, Jerry L.	Review certificate of service (stay motion) (.10); email with M. Siena regarding same (.10)	0.20
13 Jul 20	Rosella, Michael	Continue to prepare motion to reject the 1431 Broadway lease, including sections on nunc pro tunc relief (3.50); prepare proposed order approving motion to reject 1431 Broadway lease (1.00); review and revise motion (.50); coordinate filing certificate of service for revised stay relief motion with J. Hall and M. Siena (.50)	5.50
14 Jul 20	Hall, Jerry L.	Review motion to reject (1431 Broadway) (.80)	0.80
15 Jul 20	Rosensaft, Michael M.	Communication with prosecutor regarding grand jury subpoena (.50)	0.50
15 Jul 20	Hall, Jerry L.	Call with G. Benchaya regarding Dillard's settlement and related matters (.30)	0.30
17 Jul 20	Hall, Jerry L.	Revise motion to reject (1431v Broadway) (.60)	0.60
19 Jul 20	Hall, Jerry L.	Email with M. Rosella regarding motion to reject (.20)	0.20
19 Jul 20	Rosella, Michael	Review J. Hall edits to motion to reject 1431 Broadway lease (.30)	0.30
20 Jul 20	Rosensaft, Michael M.	Communications with client regarding subpoena; communications with US Attorney's Office regarding subpoena (.40)	0.40
20 Jul 20	Hall, Jerry L.	Email with P. Patel regarding motion to reject (1431 Broadway) (.20); review motion to reject (1431 Broadway) (multiple iterations) (1.40); email among B. Taylor, P. Patel and others regarding Winnipeg police warrants (.20)	1.80
20 Jul 20	Rosella, Michael	Review and revise motion to reject 1431 Broadway lease and prepare document for filing (1.00); prepare list of open items regarding motion to be addressed and discussions with J. Hall regarding same (.50); review Rule 6006 to determine scope of notice necessary for motion (.30); incorporate P. Patel comments and edits to motion and discussions with J. Hall regarding same (.50); discussions regarding hearing date with J. Hall (.20)	2.50
21 Jul 20	Siena, Marie	File motion to reject lease on the court's docket (.20) email with M. Rosella regarding same (.10)	0.30
21 Jul 20	Rosensaft, Michael M.	Call regarding grand jury subpoena; review search warrant; communication with prosecutors (.90)	0.90
21 Jul 20	Hall, Jerry L.	Review revised motion to reject (1431 Broadway)	0.90

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
		(.50); email with E. Finley regarding missing vehicles (.20); email with M. Rosella regarding motion to reject (1431 Broadway) (.20)	
21 Jul 20	Thompson, Grace	Review and provide comments on chart of eviction processes in Texas (.50)	0.50
21 Jul 20	Rosella, Michael	Discussions with Judge Bernstein's chambers regarding scheduling hearing on motion to reject 1431 Broadway lease (.50); discussions with M. Siena regarding objection deadline (.20); incorporate S. Reisman comments on motion, including researching and reviewing multiple Judge Bernstein orders authorizing lease rejections to ensure consistency (2.10); finalize motion and coordinate filing with J. Hall and M. Siena (.70); coordinate service of motion with M. Siena (.30)	3.80
22 Jul 20	Siena, Marie	Draft certificate of service (.30); coordinate service of motion to reject (.20); file certificate of service on the court's docket (.20)	0.70
22 Jul 20	Rosensaft, Michael M.	Communications with client regarding subpoena (.20); address issues with prior production of emails (.80)	1.00
22 Jul 20	Hall, Jerry L.	Email among M. Siena and M. Rosella regarding service of motion to reject (.20); review certificate of service (motion to reject) (.20); review litigation hold notice (.20); research regarding automatic stay and litigation hold (1.30)	1.90
22 Jul 20	Rosella, Michael	Attend to issues regarding filing certificate of service for motion to reject 1431 Broadway lease (.50)	0.50
23 Jul 20	Rosensaft, Michael M.	Communications regarding store records (.20)	0.20
24 Jul 20	Rosensaft, Michael M.	Address issues regarding email production (.30)	0.30
27 Jul 20	Rosensaft, Michael M.	Communications with US Attorney's Office (.40)	0.40
27 Jul 20	Thompson, Grace	Review and revise chart of eviction processes in California and New York (.30)	0.30
28 Jul 20	Rosensaft, Michael M.	Review material for production to grand jury (1.00)	1.00
28 Jul 20	Nussbaum, Jake	Review new documents provided by client and draft summary bullet points for upcoming production to DOJ of same (1.80)	1.80
29 Jul 20	Rosensaft, Michael M.	Review documents to be produced to grand jury (2.50)	2.50
29 Jul 20	Rosensaft, Michael M.	Communications with US Attorney's Office (.50); prepare production (.50)	1.00
29 Jul 20	Hall, Jerry L.	Email among B. Taylor and others regarding litigation hold letter (.20)	0.20
29 Jul 20	Nussbaum, Jake	Review new documents from client (.40); meet with R. Brady to discuss upcoming delivery of the same to DOJ (.10)	0.50
30 Jul 20	Brady, Rick	Copy data from network to local hard drive; bates number files with the number as a prefix for the original file names (3.30)	3.30
30 Jul 20	Rosensaft, Michael M.	Review records for production to US Attorney's Office (3.60)	3.60
30 Jul 20	Nussbaum, Jake	Review new documents from client (1.20); draft summary of new files and documents for inclusion in	3.30

PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
		chart given to DOJ (.80); draft production cover letters to DOJ and counsel for P. Nygard (.50); meet with M. Rosensaft, C. Lawrence and R. Brady to discuss and prepare for upcoming productions (.50); re-send previous productions to DOJ per their request (.30)	
30 Jul 20	Rosella, Michael	Research whether the automatic stay exonerates debtors from having to preserve documents relevant or potentially relevant to litigation, for J. Hall and M. Rosensaft (2.00); prepare email to J. Hall and M. Rosensaft regarding same (.30)	2.30
31 Jul 20	Brady, Rick	Zip and encrypt data for delivery of production; copy PST to Chicago for ingestion into Discovery Accelerator (2.70)	2.70
31 Jul 20	Rosensaft, Michael M.	Review documents for production in response to GJ subpoena (2.60)	2.60
31 Jul 20	Hall, Jerry L.	Review research regarding litigation hold and automatic stay issues (.50); email among M. Rosella and M. Rosensaft regarding litigation hold matters (.30)	0.80
31 Jul 20	Nussbaum, Jake	Revise draft of production cover letter to reflect new details regarding contents of the documents (1.80)	1.80
TOTALS:			76.00

SUMMARY OF PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

	Attorney or Assistant	Hours	Rate	Amount
42817	Brady, Rick	6.00	300.00	\$1,800.00
43116	Freeman, William B.	2.10	1,170.00	\$2,457.00
44155	Hall, Jerry L.	10.00	1,080.00	\$10,800.00
44618	Nussbaum, Jake	7.40	565.00	\$4,181.00
45177	Rosella, Michael	32.00	565.00	\$18,080.00
43195	Rosensaft, Michael M.	14.60	960.00	\$14,016.00
41782	Siena, Marie	3.10	210.00	\$651.00
44616	Thompson, Grace	0.80	565.00	\$452.00
TOTAL:		76.00		\$52,437.00

DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Date	Description	Amount
13 Jul 20	Postage for USPS 1ST CL FL BULK MAILING 56 PCS ENT BY LN	87.06
15 Jul 20	VENDOR: Pacer Service Center; INVOICE#: KM3277-JUNE20-NYC; DATE: 7/15/2020 - Acct #KM3277: Pacer court cost incurred in June 2020, New York.	3.40
16 Jul 20	VENDOR: Hall, Jerry L. INVOICE#: 4213661607161957 DATE: 7/16/2020 Mobile overage charge conference calls with client Date Incurred: 06/17/20	97.00
16 Jul 20	PAYEE: LAC Group; REQUEST#: 851237; DATE: 7/16/2020. - Legal Research from 06/01/20 - 06/30/20; FW: Richter Nygard - Edson's Investments Inc 6/4/2020	391.00
22 Jul 20	Postage for USPS 1ST CL BULK MAILING 57 PCS ENT BY LN	88.46
28 Jul 20	PAYEE: NTT Cloud Communications U.S. Inc.; REQUEST#: 851911; DATE: 7/28/2020. - To record Arkadin Teleconferencing, Inv #INUS200600563, dated 7/1/20. Conference call on 6/29/20; J. Hall; Conf. #24842315.	36.75
31 Jul 20	Westlaw Legal Research: ROSELLA,MICHAEL on 07/30/2020	303.08
TOTAL:		\$1,006.75

SUMMARY OF DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Description	Amount
Legal Research	694.08
Telephone Charges	133.75
Postage Costs	175.52
Court Costs	3.40
TOTAL:	\$1,006.75

MATTER TOTAL: \$53,443.75

Katten

575 Madison Avenue
New York, NY 10022-2585

REMITTANCE

Please include this remittance advice with your payment to ensure proper account crediting

Attorney: 44842 - Steven Reisman
Client: 393878 - Richter Advisory Group Inc.
Matter: 00001 - Nygard Chapter 15 Proceeding

Invoice No.: 1301638386
Invoice Date: 14 Aug 20

Current Invoice Charges: \$53,443.75

Wire Instructions:

Reference: 393878.00001

JP Morgan Chase Bank
1211 Avenue of the Americas, 39th Floor
New York, New York 10036
ABA #021000021
Swift Code: CHASUS33

For Credit To: Katten Muchin Rosenman LLP
Operating Account
Account #967343933

When wiring a payment please fax a copy of the Remittance to Jean Monteforte at 212-940-7175

Please direct any billing inquiries to Lisa Quintana at 212-940-8573 or e-mail lisa.quintana@katten.com

September 24, 2020

VIA EMAIL: gbenchava@richterconsulting.com

Gilles Benchaya
Partner
Richter Advisory Group Inc.
200 South Wacker Drive, Suite 3100
Chicago, IL 60606

Re: Nygard Chapter 15 Proceeding

Dear Gilles:

I hope this letter finds you and yours healthy and safe.

Attached please find our Billing Statement for services rendered and expenses incurred in connection with Nygard Chapter 15 Proceeding for the period of **August 1, 2020** through and including **September 18, 2020** (the "Fee Period") in the amount of **\$108,420.64**.

Moreover, there is a balance owing from our July 2020 Billing Statement in the amount of **\$53,443.75**. Accordingly, the total amount due at this time is **\$161,864.39**. For your convenience, we have attached the July 2020 Billing Statement along with the August 2020 Billing Statement.

Please note, we will send redacted copies of the invoices for use in the Canadian proceedings under separate cover.

The work we performed during the Fee Period included, among other things:

- Attending to multiple issues regarding litigation and claims by and against the Debtors in U.S. courts, including the grand jury subpoena and document production, Blueprint litigation, and Gardena property settlement negotiations;
- Preparing a response to 1431 Associates' limited objection to the motion to reject the 1431 Broadway lease and attending to settlement discussions with landlord's counsel;
- Preparing a stipulation and related motion for relief from the automatic stay to allow 1431 Associates to retain any security deposit it currently holds and apply such amount against any rejection damages it may assert in the Canadian Proceeding;

September 24, 2020

Page 2

- Preparing and filing certificate of no objection with respect to the motion for relief from the automatic stay regarding the 1435 Broadway Lease;
- Attending a hearing before Judge Bernstein of the U.S. Bankruptcy Court for the Southern District of New York; and
- Attending to calls, correspondence and other matters in respect to all of the foregoing.

We would appreciate the processing of the attached Billing Statements for payment at your earliest convenience. If you have any questions, please feel free to contact me at (212) 940-8700 or at sreisman@katten.com.

It is our privilege and pleasure to be of service, and we appreciate and value the trust and confidence you have placed in us.

Be safe, be smart, be healthy, be kind, be generous, be patient and be positive.

My best.

Sincerely,



Steven J. Reisman

Attachments

cc: Jerry Hall, Esq. (w/attachments, By Email: jerry.hall@katten.com)
(Katten Muchin Rosenman LLP)

Katten

Direct Billing Inquiries to:
Lisa Quintana
212-940-8573
lisa.quintana@katten.com

575 Madison Avenue
New York, NY 10022-2585

September 23, 2020

Richter Advisory Group Inc.
Attn: Gilles Benchaya
200 South Wacker Drive, Suite 3100
Chicago, IL 60606

Invoice No. 1301645530
Client No. 393878
Matter No. 00001

FEIN: 36-2796532

Re: Nygard Chapter 15 Proceeding (393878.00001)

For legal services rendered through September 18, 2020	\$108,058.00
Disbursements and other charges.....	\$362.64

CURRENT INVOICE TOTAL: \$108,420.64

Disbursements and other charges incurred which have not yet been posted as of the above date will be billed at a later date.

Katten Muchin Rosenman LLP is an Illinois limited liability partnership including professional corporations that has elected to be governed by the Illinois Uniform Partnership Act (1997).
Katten Muchin Rosenman UK LLP is a limited liability partnership of solicitors and Registered Foreign Lawyers registered in England and Wales.

PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
03 Aug 20	Hall, Jerry L.	Review report of receiver	0.30
04 Aug 20	Rosensaft, Michael M.	Review materials for production to US Attorney's Office; communications with prosecutors	2.20
04 Aug 20	Hall, Jerry L.	Email among M. Rosensaft, P. Patel and others regarding subpoena and related matters	0.20
04 Aug 20	Nussbaum, Jake	Review previous productions to answer questions from DOJ about content; draft cover letter to DOJ and counsel for P. Nygard regarding reproduction of corrupt file	2.00
05 Aug 20	Rosensaft, Michael M.	Review materials for production; draft letter for production; prepare production for US Attorney's Office and Morvillo	2.30
05 Aug 20	Nussbaum, Jake	Prepare replacement production and send to DOJ/counsel to P. Nygard	1.00
06 Aug 20	Brady, Rick	Create production of native files; rename files to include a bates number prefix; zip and encrypt data for delivery	2.10
06 Aug 20	Rosensaft, Michael M.	Prepare for and have communications with US Attorney's Office regarding productions	1.10
06 Aug 20	Hall, Jerry L.	Call with B. Taylor regarding possible settlement of matters concerning Gardena properties	0.20
06 Aug 20	Nussbaum, Jake	Prepare sixth production of documents for delivery to counsel for P. Nygard	2.00
06 Aug 20	Rosella, Michael	Review chapter 15 case docket and prepare email to J. Hall with suggested next steps for two recently filed motions	0.50
07 Aug 20	Rosella, Michael	Prepare certificates of no objection for motion for relief from the automatic stay regarding 1435 Broadway lease and motion to reject 1431 Broadway lease	1.50
10 Aug 20	Siena, Marie	File CNO for Stay Relief Motion and CNO for Motion to reject 1431 Broadway Lease on the court's docket; discussions with M. Rosella regarding the same	0.60
10 Aug 20	Rosensaft, Michael M.	Address issues for email production	0.50
10 Aug 20	Hall, Jerry L.	Call and email with P. Patel regarding Blueprint litigation and related matters; review certificates of no objection; email with M. Rosella regarding certificates of no objection	1.30
10 Aug 20	Rosella, Michael	Continue to prepare certificates of no objection for 1431 Broadway motion to reject lease and 1435 Broadway stay relief motion; discussions with J. Hall regarding service and filing; prepare emails to S. Reisman with CNOs and incorporate S. Reisman comments; coordinate filing with M. Siena and discussions regarding same; prepare detailed email to Richter and Thompson regarding CNOs and discussions with J. Hall regarding same	2.90
11 Aug 20	Hall, Jerry L.	Review limited objection of 1431; call with W. Greenwald regarding rejection of 1431; email with M.	2.70

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
11 Aug 20	Rosella, Michael	Rosella regarding limited objection (1431); review case law cited in limited objection; email with F. Torrence and P. Patel regarding Blueprint stipulation of dismissal	4.10
12 Aug 20	Hall, Jerry L.	Review objection to 1431 Broadway lease rejection motion; review and circulate cases cited in objection to J. Hall; review lease rejection motion to solidify positions taken therein; discussions regarding settlement negotiations with counsel to 1431 Associates and preparation of response to objection with J. Hall	0.60
12 Aug 20	Nussbaum, Jake	Email with F. Torrence regarding Blueprint stipulation of dismissal; call with G. Benchaya regarding status of Gardena negotiations and related matters	0.50
12 Aug 20	Rosella, Michael	Draft cover letter for production to DOJ of additional documents	7.60
13 Aug 20	Hall, Jerry L.	Review SDNY bankruptcy Local Rules and discussions with J. Hall regarding objection deadlines for recently filed motions; review case law on courts refusing to consider untimely objections to motions; prepare section of response regarding same; review section of 1431 Associates limited objection on directing Debtors to vacate leased premises, and prepare section of response regarding same; research and review case law on section 365(d)(3) of the Bankruptcy Code regarding debtors' obligation to pay postpetition rent, including reviewing orders entered by bankruptcy courts granting rent relief in recent cases; prepare section of response regarding why Debtors are not obligated to pay postpetition rent, and proposing resolution to landlord dispute; review cases cited in limited objection opposing nunc pro tunc relief and prepare section responding to those arguments; prepare multiple emails to J. Hall with questions regarding the foregoing	0.80
13 Aug 20	Nussbaum, Jake	Revise reply to limited objection (1431)	1.00
13 Aug 20	Rosella, Michael	Draft cover letter to latest production to DOJ; prepare production for delivery	5.10
14 Aug 20	Siena, Marie	Continue to prepare response to 1431 Associates objection, particularly revising section on nunc pro tunc relief; discussions with J. Hall regarding objection deadline for 1431 Broadway motion and review Local Rules regarding same; research J. Hall questions on whether paying postpetition rent is a condition to a court approving rejection of an unexpired lease and whether section 365(d)(3) of the Bankruptcy Code adopts the administrative priority standard	0.90
14 Aug 20	Hall, Jerry L.	Draft email to chambers; confer with M. Rosella regarding CNO	0.70
		Call with W. Greenwald regarding 1431 Broadway	

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
14 Aug 20	Rosella, Michael	lease; email with chambers regarding stay relief motion Continue to research case law and secondary sources on whether payment of postpetition rent is a condition to a court approving rejection of an unexpired lease, and whether section 365(d)(3) adopts the administrative expense standard, for J. Hall; prepare email to J. Hall with relevant information; review and revise cover email to chambers regarding certificate of no objection for 1435 Broadway stay relief motion; discussions with M. Siena regarding same	5.00
17 Aug 20	Hall, Jerry L.	Email and call with W. Greenwald regarding stipulation; email with M. Rosella regarding stipulation; call with P. Patel regarding 1431 Broadway lease	1.20
17 Aug 20	Rosella, Michael	Prepare letter to chambers regarding continuance of the 1431 Broadway matter, and incorporate J. Hall and S. Reisman comments; review material terms of resolution to objection that counsel to 1431 Associates agreed to; prepare stipulation to resolve 1431 Associates limited objection by allowing the landlord to retain security deposit and apply it against any rejection damages claim that it may hold; discussions with J. Hall regarding same	4.20
18 Aug 20	Hall, Jerry L.	Revise stipulation (1431 Broadway); revise continuance letter (1431 Broadway); email with W. Greenwald regarding stipulation (1431 Broadway)	0.90
19 Aug 20	Hall, Jerry L.	Email with W. Greenwald regarding stipulation (1431 Broadway); review stipulation and prepare for hearing (1431 Broadway)	0.60
20 Aug 20	Hall, Jerry L.	Prepare for and attend hearing of rejection motion (1431 Broadway); email with W. Greenwald regarding stipulation (1431 Broadway)	0.50
20 Aug 20	Rosella, Michael	Prepare updates to 1431 Broadway stipulation to address opposing counsel's comments and prepare email to J. Hall regarding same; update calendar invitations for upcoming hearing	0.70
21 Aug 20	Rosensaft, Michael M.	Communications regarding new production to prosecutors	0.50
21 Aug 20	Hall, Jerry L.	Email with W. Greenwald regarding stipulation	0.30
25 Aug 20	Rosensaft, Michael M.	Review documents for production; communications regarding emails for production; communications with client	1.90
25 Aug 20	Rosella, Michael	Review case docket and prepare email to J. Hall regarding updates with 1431 Broadway stipulation	0.30
26 Aug 20	Siena, Marie	Schedule telephonic appearance at hearing for J. Hall	0.20
26 Aug 20	Rosensaft, Michael M.	Review emails for production; communications with client; communications with Morvillo regarding production; communications with US Attorney's Office	2.10
26 Aug 20	Hall, Jerry L.	Review revised stipulation (1431 Broadway); email with chambers regarding stipulation (1431 Broadway)	0.40

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
26 Aug 20	Nussbaum, Jake	Coordinate next production of documents to counsel for P. Nygard; draft cover letter for production	1.00
26 Aug 20	Rosella, Michael	Revise and finalize 1431 Broadway stipulation and discussions with J. Hall regarding same; prepare chambers email regarding 1431 Broadway stipulation	1.00
27 Aug 20	Rosenshaft, Michael M.	Review emails for production	1.00
27 Aug 20	Hall, Jerry L.	Review stipulation (1431 Broadway) as entered	0.20
27 Aug 20	Nussbaum, Jake	Email counsel for P. Nygard regarding production; prepare hard drive for delivery to the same	0.50
27 Aug 20	Rosella, Michael	Review as-entered 1431 Broadway stipulation, and prepare motion for relief from automatic stay to allow 1431 Associates to retain any security deposit it currently holds under the lease	2.00
28 Aug 20	Rosella, Michael	Review and revise draft stay relief motion regarding 1431 Broadway lease and prepare email to J. Hall with draft	0.70
30 Aug 20	Hall, Jerry L.	Email among R. McFadyen and others regarding deletion log and related matters; review draft motion for relief from automatic stay (1431 Broadway)	0.70
31 Aug 20	Nussbaum, Jake	Draft cover letter for latest production of emails to DOJ	0.80
02 Sep 20	Rosenshaft, Michael M.	Communications regarding grand jury production	0.50
02 Sep 20	Hall, Jerry L.	Call and email among B. Taylor, M. Rosenshaft and others regarding privilege and document retention matters	0.40
02 Sep 20	Nussbaum, Jake	Revise cover letter to DOJ and discuss production with AUSA's	0.50
04 Sep 20	Rosenshaft, Michael M.	Review bankruptcy motion	0.40
05 Sep 20	Rosenshaft, Michael M.	Call regarding subpoena production and bankruptcy motion; review motion	1.30
05 Sep 20	Hall, Jerry L.	Call among B. Taylor, M. Rosenshaft, P. Patel and others regarding motion to enforce document access order; email with M. Rosella and others regarding document access motion; research regarding potential responses to document access motion	2.20
05 Sep 20	Rosella, Michael	Attend call with Katten team, B. Taylor, and P. Patel regarding document access motion; review class action lawsuit docket to determine whether Morvillo has withdrawn as counsel to defendants	1.20
06 Sep 20	Hall, Jerry L.	Review outline from B. Taylor regarding document access motion	0.30
07 Sep 20	Rosenshaft, Michael M.	Prepare for and have call regarding Bankruptcy motion	1.00
07 Sep 20	Hall, Jerry L.	Call among P. Patel, B. Taylor, M. Rosenshaft and others regarding document access matters; review outline from B. Taylor regarding document access motion	0.80
08 Sep 20	Rosenshaft, Michael M.	Prepare for and have communications with US Attorney's Office regarding motion	1.00
08 Sep 20	Hall, Jerry L.	Revise draft email to W. Onchulenko regarding document access; email among team regarding same	0.50

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
09 Sep 20	Rosensaft, Michael M.	Address issues for motion in response to Debtors motion regarding document order	1.50
10 Sep 20	Rosensaft, Michael M.	Analyze issues for motion regarding document order; communications regarding strategy for responding to motion	2.20
10 Sep 20	Hall, Jerry L.	Call and email with A. Yager regarding document access motion	0.40
10 Sep 20	Yager, Allison E.	Call with J. Hall regarding drafting response to debtor's motion regarding document production; take notes regarding same; review debtors' motion to enforce Document Access Order; review Document Access Order	1.00
11 Sep 20	Rosensaft, Michael M.	Analyze issues with respect to response to Debtors motion; call regarding Debtors motion	3.00
11 Sep 20	Hall, Jerry L.	Email with W. Greenwald regarding rejected premises (1431 Broadway); call among M. Rosensaft, B. Taylor and others regarding document access motion; email and call with A. Yager regarding document access motion; review transcripts of hearings in Canadian proceedings (document access motion)	2.10
11 Sep 20	Yager, Allison E.	Review background materials and draft response to debtors' motion to enforce document access order	2.50
11 Sep 20	Nussbaum, Jake	Review new document to be produced to DOJ and counsel to P. Nygard; draft cover letter and prepare for production	0.80
11 Sep 20	Lawrence, Carl M.	Review and prepare additional materials for production to Morvillo and the USAO; coordinate with J. Nussbaum regarding same	0.50
13 Sep 20	Yager, Allison E.	Continue drafting objection to debtors' motion to enforce document access order	4.20
14 Sep 20	Hall, Jerry L.	Review comments from B. Taylor regarding opposition to document access motion; revise opposition to document access motion; email and call with A. Yager regarding opposition to document access motion	2.10
14 Sep 20	Yager, Allison E.	Revise response to debtors' motion to enforce order; call with J. Hall regarding same; review motion per discussion from J. Hall and B. Taylor; emails with J. Hall regarding same	2.00
14 Sep 20	Rosella, Michael	Prepare revisions to finalize 1431 Broadway stay relief motion; discussions with J. Hall regarding same; prepare email to S. Reisman with final version of document to be filed	1.10
15 Sep 20	Rosensaft, Michael M.	Call with US Attorney's Office	0.50
15 Sep 20	Hall, Jerry L.	Call and email among B. Taylor, A. Yager, P. Patel and others regarding document access motion; revise opposition to document access motion (multiple iterations)	2.50
15 Sep 20	Yager, Allison E.	Review J. Hall revisions to response to debtors' motion to enforce order; emails with J. Hall regarding further revisions; revise response; attend call with J. Hall and	3.60

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description	Hours
		Canadian counsel regarding response; further revise response per discussion	
15 Sep 20	Rosella, Michael	Attend to discussions with J. Hall and M. Siena regarding finalizing and filing the 1431 Broadway stay relief motion	0.30
16 Sep 20	Rosensaft, Michael M.	Communications with US Attorney's Office; communications with client; revise response motion to abide by document order	4.00
16 Sep 20	Hall, Jerry L.	Email and call among B. Taylor, P. Patel and others regarding opposition to document access motion; calls with M. Rosensaft regarding opposition to document access order; revise document access motion (multiple iterations); call and email with A. Yager regarding opposition to document access motion	2.70
16 Sep 20	Yager, Allison E.	Emails with Canadian counsel regarding response and exhibits thereto; revise response; prepare exhibits to same; emails with J. Hall regarding exhibits and revisions; call with J. Hall regarding same; email M. Rosensaft regarding same; further revise response and finalize for filing; call with M. Rosensaft regarding same; follow up call with J. Hall and M. Rosensaft; confer with M. Siena regarding filing	3.00
16 Sep 20	Nussbaum, Jake	Organize productions made thus far for easy reference for M. Rosensaft and J. Hall	0.50
17 Sep 20	Rosensaft, Michael M.	Draft stipulation; communications with movants regarding settlement; communications with client regarding settlement; communications with US Attorney's Office regarding motion	5.00
17 Sep 20	Hall, Jerry L.	Calls and email among B. Taylor, M. Rosensaft and others regarding stipulation (document access); call and email with M. Rosensaft regarding document access stipulation; email with P. Patel regarding Blueprint invoices	1.40
17 Sep 20	Yager, Allison E.	Email M. Rosensaft regarding filed pleadings	0.10
17 Sep 20	Nussbaum, Jake	Draft production cover letter to DOJ and prepare production for delivery	0.50
17 Sep 20	Rosella, Michael	Review and revise certificate of service regarding recently filed motions; review 1431 Broadway stipulation and circulate to J. Hall; review order entered by Canadian court approving E/B settlement agreement	1.00
18 Sep 20	Rosensaft, Michael M.	Revise stipulation; review modifications of stipulation by Movants; calls with US Attorney's Office; calls with Canadian counsel; calls with Movant	5.60
18 Sep 20	Hall, Jerry L.	Email among B. Taylor, M. Rosensaft and others regarding stipulation (document access); review document access stipulation (multiple iterations)	1.60
18 Sep 20	Yager, Allison E.	Emails with J. Hall and others regarding stipulation	0.20
18 Sep 20	Nussbaum, Jake	Meet with M. Rosensaft to discuss productions made to DOJ	0.30

PROFESSIONAL SERVICES
Matter 00001: Nygard Chapter 15 Proceeding

Date	Attorney or Assistant	Description		Hours
			TOTALS:	137.70

SUMMARY OF PROFESSIONAL SERVICES

Matter 00001: Nygard Chapter 15 Proceeding

	Attorney or Assistant	Hours	Rate	Amount
42817	Brady, Rick	2.10	300.00	\$630.00
44155	Hall, Jerry L.	28.60	1,080.00	\$30,888.00
45649	Lawrence, Carl M.	0.50	420.00	\$210.00
44618	Nussbaum, Jake	11.40	565.00	\$6,441.00
45177	Rosella, Michael	39.20	565.00	\$22,148.00
43195	Rosensaft, Michael M.	37.60	960.00	\$36,096.00
41782	Siena, Marie	1.70	210.00	\$357.00
44491	Yager, Allison E.	16.60	680.00	\$11,288.00
TOTAL:		137.70		\$108,058.00

DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Date	Description	Amount
12 Aug 20	VENDOR: Federal Express Corp. INVOICE#: 708971492 DATE: 8/10/2020 From: Jake A. Nussbaum To: BRIAN HATFIELD US ATTY OFFICE-SOUTHERN DISTRICT NY 1 SAINT ANDREWS PLZ,NEW YORK NY,10007 US: On: 8/5/2020; Tracking ID: 395509147353	11.32
12 Aug 20	VENDOR: Federal Express Corp. INVOICE#: 708971492 DATE: 8/10/2020 From: Jake A. Nussbaum To: ROBERT M. RADICK, ESQ. MORVILLO ABRAMOWITZ GRAND IASON & A 565 5TH AVE,NEW YORK NY,10017 US: On: 8/5/2020; Tracking ID: 395509278274	11.32
18 Aug 20	VENDOR: Hall, Jerry L. INVOICE#: 4245908308181532 DATE: 8/18/2020 long distance roaming charges for calls to clients Date Incurred: 08/17/20	52.00
02 Sep 20	VENDOR: Hall, Jerry L. INVOICE#: 4262401109021347 DATE: 9/2/2020 Telephonic Appearance at court hearing Date Incurred: 08/20/20	70.00
09 Sep 20	VENDOR: Federal Express Corp. INVOICE#: 710904298 DATE: 8/31/2020 From: Jake A. Nussbaum To: ROBERT M. RADICK MORVILLO ABRAMOWITZ GRAND IASON & A 565 5TH AVE,NEW YORK NY,10017 US: On: 8/27/2020; Tracking ID: 396257794470	11.49
11 Sep 20	VENDOR: City Expeditor Inc.; INVOICE#: 86892; DATE: 8/23/2020; From: Katten to Scott Ross, 235 Park Ave South, 8th Fl, NY on 8/17/20	17.00
14 Sep 20	VENDOR: Federal Express Corp. INVOICE#: 711554004 DATE: 9/7/2020 From: Jake A. Nussbaum To: MICHAEL TARRAO US ATTY OFFICE SOUTHERN DISTRICT NY 1 SAINT ANDREWS PLZ,NEW YORK NY,10007 US: On: 9/3/2020; Tracking ID: 396470580437	11.46
16 Sep 20	Postage for USPS 1ST CL FL 57 PCS BULK MAILING ENT BY LN	88.46
16 Sep 20	Postage for USPS 1ST CL FL 57 PCS BULK MAILING ENT BY LN	72.63
16 Sep 20	VENDOR: Pacer Service Center; INVOICE#: KM3277-AUG20-NYC; DATE: 9/16/2020 - Acct #KM3277: Pacer court cost incurred in August 2020, New York.	1.30
17 Sep 20	Postage for USPS 1ST CL FL INT BULK MAIL 4PCS ENT BY LN	15.66
TOTAL:		\$362.64

SUMMARY OF DISBURSEMENTS

Matter 00001: Nygard Chapter 15 Proceeding

Description	Amount
Messenger Services	62.59
Long Distance Charges	52.00
Postage Costs	176.75
Court Costs	71.30
TOTAL:	\$362.64

MATTER TOTAL: \$108,420.64

Katten

575 Madison Avenue
New York, NY 10022-2585

REMITTANCE

Please include this remittance advice with your payment to ensure proper account crediting

Attorney: 44842 - Steven Reisman
Client: 393878 - Richter Advisory Group Inc.
Matter: 00001 - Nygard Chapter 15 Proceeding

Invoice No.: 1301645530
Invoice Date: 23 Sep 20

Current Invoice Charges: \$108,420.64

PREVIOUS BALANCE DUE:

Invoice Date	Invoice No.	Matter	Invoice Total	Current Balance
14 Aug 20	1301638386	00001	53,443.75	53,443.75
TOTAL OUTSTANDING BALANCE :				<u>\$53,443.75</u>

TOTAL BALANCE DUE: \$161,864.39

Wire Instructions:

Reference: 393878.00001

JP Morgan Chase Bank
1211 Avenue of the Americas, 39th Floor
New York, New York 10036
ABA #021000021
Swift Code: CHASUS33

For Credit To: Katten Muchin Rosenman LLP
Operating Account
Account #967343933

When wiring a payment please fax a copy of the Remittance to Jean Monteforte at 212-940-7175

Please direct any billing inquiries to Lisa Quintana at 212-940-8573 or e-mail lisa.quintana@katten.com