

CANADA

SUPERIOR COURT  
(Commercial Division)

PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

IN THE MATTER OF THE PROPOSAL OF:

NO.: 500-11-050730-163  
Superintendent No.: 41-2125706

**9079-0403 QUEBEC INC.**, d.b.a. **Ébenisterie Nemus**, a body politic and corporate, duly incorporated according to law, having its head office and principal place of business at 9150, boul. Parkway, in the City and District of Montreal, Province of Quebec, H1J 1N6.

*Debtor*

-and-

**RICHTER ADVISORY GROUP INC.**, a body politic and corporate, duly incorporated according to law, having a place of business at 1981 McGill College Avenue, 11<sup>th</sup> Floor, in the City and District of Montreal, Province of Quebec, H3A 0G6.

*Trustee*

**APPLICATION FOR COURT APPROVAL OF  
THE DEBTOR'S PROPOSAL**  
(Article 58 of the *Bankruptcy & Insolvency Act*)

**TO ANY ONE OF THE HONOURABLE JUDGES OF THE SUPERIOR COURT SITTING IN BANKRUPTCY FOR THE DISTRICT OF MONTREAL OR TO THE REGISTRAR THEREOF, THE APPLICATION OF THE DEBTOR RESPECTFULLY REPRESENTS:**

1. On June 17, 2016, the Debtor filed a Proposal with the Trustee, copy of which has been filed with the Official Receiver, the whole as more fully appears from a Report of the Trustee on Proposal (Section 58(d) BIA) and adjoining documents filed herewith as **Exhibit R-1**;
2. The Proposal provided for payment upon approval of the Court of the global sum of three hundred thousand dollars (\$300,000.00) payable in the following manner, and to be distributed to creditors in full and final payment of their claims:

- The Crown's claims, employees and preferred claims will be paid in priority within thirty (30) days of the Approval.
  - The balance will be remitted to the Trustee as follows:
    - A first payment of \$50,000 payable within thirty (30) days following the Approval; and
    - The balance within ninety (90) days of the first payment.
3. The Proposal stipulates that all secured creditors shall be paid in accordance with the arrangements existing between the Debtor and the holders of secured claims and that all preferred creditors shall be paid in full without interest in priority to all claims of ordinary creditors, the whole as it more fully appears from **Exhibit A in Exhibit R-1**;
  4. A General Meeting of Creditors to consider the Proposal was held on July 7, 2016 at the offices of Richter Advisory Group Inc., located at 1981 McGill College Avenue, 11<sup>th</sup> Floor, Montreal, Province of Quebec, H3A 0G6, the chairperson of which was Mr. Benoit Gingues, CPA, CA, CIRP, Trustee;
  5. The Trustee-Petitioner produced a report at the General Meeting on the financial status of the Debtor and on the causes of its insolvency;
  6. The Proposal was accepted unanimously by all Creditors, the whole as it more fully appears from the Minutes of the General Meeting of Creditors held on July 7, 2016, filed as **Exhibit D in Exhibit R-1**;
  7. The Notice of Meeting sent by the Trustee to the Debtor and to the Debtor's creditors contained a notice of the hearing of the present Motion. Accordingly, notice of the hearing of the present Motion was sent, together with and forming part of the Notice of Meeting, to the Debtor and to all of the Debtor's creditors more than 15 days prior to the date of hearing of the present Motion copies of such notice and mailing affidavit being filed herewith as **Exhibit R-2**.
  8. The Trustee has forwarded to the Official Receiver and filed with this Honourable Court its Report required by Section 58(d) BIA, the proof of the deposit of the said report filed herewith as **Exhibit R-3**;
  9. The Debtor's Proposal is an advantageous one for the creditors as it will yield a dividend far higher than a bankruptcy and saves the positions of 25 employees and saves a highly specialized and qualified business which has been in operation for more than 16 years;

10. The Trustee, after having the Debtor's assets evaluated has concluded that the present Proposal will yield a dividend of approximately 7% to ordinary creditors, excluding those of the principal shareholder and Director who have subordinated their debts to those of ordinary creditors, and in a bankruptcy there will be no dividend for ordinary creditors.
11. The present application is well founded in fact and in law;

**WHEREFORE THE DEBTOR RESPECTFULLY PRAYS FOR JUDGMENT OF THIS HONOURABLE COURT:**

- A. **SHORTENING** the delay to forward a copy of the Report of the Trustee on the Proposal (Section 58(d) BIA) to the Official Receiver;
- B. **DISPENSING** the necessity of notification of the hearing of the present Motion to Debtor's creditors, other than the notice sent to the Debtor's creditors with the Notice of Meeting of June 27, 2016;
- C. **GRANTING** the present Motion;
- D. **APPROVING** the Proposal dated June 17, 2016 of 9079-0403 Quebec Inc. for all purposes as envisaged and required by the relevant provisions of the Bankruptcy and Insolvency Act, Canada; and
- E. **ORDERING** the provisional execution of the judgment to be rendered herein notwithstanding appeal and without the necessity of furnishing any security.

**THE WHOLE WITHOUT COSTS.**

**MONTREAL, JULY 7, 2016**

(SGD) STEIN & STEIN INC.

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**STEIN & STEIN INC.  
ATTORNEYS FOR DEBTOR**

**COPIE CONFORME/TRUE COPY**

*Stein & Stein Inc.*  
STEIN & STEIN INC.

AFFIDAVIT

I, the undersigned, **Benoit Gingues**, CPA, CA, CIRP, Licensed Trustee in Bankruptcy, practising my profession at Richter Advisory Group Inc., 1981 McGill College Avenue, 11<sup>th</sup> Floor, City and District of Montreal, Province of Quebec, H3A 0G6, having been duly sworn, do hereby depose and say:-

1. **THAT** I am the Trustee in the matter of the Proposal of 9079-0403 Quebec Inc. located at 9150 boul. Parkway, Montreal, Quebec, H1J 1N6;
2. **THAT** I have read the Application annexed hereto and the facts alleged in the said Application are true and correct.

**AND I HAVE SIGNED**

(SGD) BENOIT GINGUES

\_\_\_\_\_  
BENOIT GINGUES, CPA, CA, CIRP

Sworn to before me this 7<sup>th</sup> day of  
July, 2016 in the District of Montreal

(SGD) CINDY MICHAUD, #210 793

\_\_\_\_\_  
Commissioner of Oaths for the  
District of Montreal

COPIE CONFORME/TRUE COPY

  
.....  
STEIN & STEIN INC.

NOTICE OF PRESENTATION

TO: OFFICIAL RECEIVER OF BANKRUPTCY  
1155, Metcalfe Street, Suite 950  
Montreal, Quebec, H3B 2V6

Sirs,

**BE ADVISED** that the present Application for acceptance of the Debtor's Proposal will be heard before one of the Honourable Judges of the Superior Court or the Registrar of this Court, sitting in bankruptcy matters, in and for the District of Montreal, on **July 13, 2016** in **room 16.10** of the Montreal Courthouse, at **8:45 a.m.** in the forenoon or as soon as counsel may be heard.

MONTREAL, JULY 7, 2016

(SGD) STEIN & STEIN INC.

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STEIN & STEIN INC.  
ATTORNEYS FOR DEBTOR

COPIE CONFORME/TRUE COPY

  
STEIN & STEIN INC.

CANADA

SUPERIOR COURT  
(Commercial Division)

PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

IN THE MATTER OF THE PROPOSAL OF:

NO: 500-11-050730-163  
Superintendent No. 41-2125706

**9079-0403 QUEBEC INC.,** d.b.a.  
**Ébenisterie Nemus**, a body politic and  
corporate, duly incorporated according to  
law, having its head office and principal  
place of business at 9150, boul. Parkway, in  
the City and District of Montreal, Province of  
Quebec, H1J 1N6.

*Debtor*

-and-

**RICHTER ADVISORY GROUP INC.,** a  
body politic and corporate, duly incorporated  
according to law, having a place of business  
at 1981 McGill College Avenue, 11<sup>th</sup> Floor,  
in the City and District of Montreal, Province  
of Quebec, H3A 0G6.

*Trustee*

**LIST OF TRUSTEE-PETITIONER'S EXHIBITS**

**Exhibit R-1:** Copy of Trustee's Report filed with the Court on the Proposal and adjoining documents filed therewith.

**Exhibit R-2:** Copy of notices given to the Debtor, Creditors and Official Receiver of the hearing of the present motion.

**Exhibit R-3:** Copy of proof of deposit of the Trustee's Report filed with the Court.

**MONTREAL, JULY 7, 2016**  
**(SGD) STEIN & STEIN INC.**

**COPIE CONFORME/TRUE COPY**

  
.....  
**STEIN & STEIN INC.**

**STEIN & STEIN INC.**  
**ATTORNEYS FOR DEBTOR**



v/d : 12249-2

9079-0403 QUEBEC INC.

DEBTOR(S)

AND

RICHTER ADVISORY GROUP INC.

TRUSTEE

Vacation cour	12,75 \$ (1)
Photocopie(s)	2,25 \$ (3)
Timbre(s) Judiciaire(s)	150,00 \$ (4)
<b>SOUS-TOTAL</b>	<b>165,00 \$</b>

Autres frais :

(non admissible à l'état des frais)

Frais Adm. Avance Timbres 16,00 \$ (4)

**SOUS-TOTAL** 16,00 \$

**TOTAL AVANT TAXES** 181,00 \$

TPS 1,55 \$

TVQ 3,09 \$

**TOTAL** 185,64 \$

L'étude **Paquette & Associés, Huissiers de justice**, ayant son principal établissement d'entreprise situé au 511 PLACE D'ARMES, bureau 800, MONTRÉAL, QC, CANADA, H2Y 2W7, vous avise, par la présente, que dans ce dossier, un débit a été porté à votre compte pour la(les) raison(s) suivante(s) :

Nous avons procédé, le 11 juillet 2016 à 15:00, à la **PRODUCTION au GREFFE de CETTE COUR**

de la présente "APPLICATION FOR COURT APPROVAL OF THE DEBTOR'S PROPOSAL (Article 58 of the bankruptcy & insolvency Act), AFFIDAVIT, NOTICE OF PRESENTATION, LIST OF TRUSTEE-PETITIONER'S EXHIBITS, EXHIBITS R-1, PIÈCES A, B, C1 À C3, PIÈCES D, E, EXHIBITS R-2 À R-3".

(616)

Pour toutes informations supplémentaires, veuillez communiquer avec votre responsable à la clientèle, **AYLIN TASLI**.

Présentable le : 2016/07/13

MONTRÉAL, le 11 juillet 2016



PAQUETTE ET ASSOCIES, huissier de justice

a/s : ME NEIL H. STEIN  
STEIN & STEIN, AVOCATS (2950)

(ME BONSE) HAMJU 4 TASAY E0711 I0711-16:57 REF:1715962-1-0-1 ( )  
NB:3 FRAIS:

No Engr. T.P.S. : R122687056

No Engr. T.V.Q. : 1013245793



v/d : 12249-2

9079-0403 QUEBEC INC.  
DEBTOR(S)  
AND  
RICHTER ADVISORY GROUP INC.  
TRUSTEE

Je soussigné(e), **MAXIME HOULE RICHARD**, huissier de justice, ayant mon domicile professionnel au 511 PLACE D'ARMES #800, MONTREAL, QC, CANADA, H2Y 2W7, certifie sous mon serment professionnel

que le **11 juillet 2016 à 10:42 heures**,

j'ai signifié une COPIE CONFORME de la présente "APPLICATION FOR COURT APPROVAL OF THE DEBTOR'S PROPOSAL (Article 58 of the bankruptcy & insolvency Act), AFFIDAVIT, NOTICE OF PRESENTATION, LIST OF TRUSTEE-PETITIONER'S EXHIBITS, EXHIBITS R-1, PIÈCES A, B, C1 À C3, PIÈCES D, E, EXHIBITS R-2 À R-3" en notant sous ma signature, le jour et l'heure de la signification, au verso de l'acte

Signification	9,00 \$ (1)
Kilométrage	2,98 \$ (1A)
SOUS-TOTAL	<u>11,98 \$</u>

destiné à **OFFICIAL RECEIVER OF BANKRUPTCY**,

Autres frais :	
(non admissible à l'état des frais)	
Gestion	6,00 \$ (4)
SOUS-TOTAL	<u>6,00 \$</u>

en remettant le tout à son ÉTABLISSEMENT D'ENTREPRISE en m'adressant à une PERSONNE qui PARAÎT ÊTRE EN MESURE DE LE REMETTRE au DESTINATAIRE, laquelle personne s'est nommée comme étant : DANIEL CYR

TOTAL AVANT TAXES	<u>17,98 \$</u>
TPS	0,90 \$
TVQ	1,79 \$
TOTAL	<u>20,67 \$</u>

à l'adresse suivante:

**1155 RUE METCALFE #950, MONTREAL, QC, CANADA, H3B 2V6.**



La distance nécessairement parcourue est de 2 kilomètre(s)

Présentable le : 2016/07/13

MONTREAL, le 11 juillet 2016.

MAXIME HOULE RICHARD, huissier de justice  
Permis # 994

a/s : ME NEIL H. STEIN  
STEIN & STEIN, AVOCATS (2950)

(ME BONSE) ROBLI 4 TASAY E0711 I0711-12:46 REF:1715962-1-1-1 ( )  
NB:3 FRAIS:0

SE

No Engr. T.P.S. : R122687056

No Engr. T.V.Q. : 1013245793



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SUPERIOR COURT  
PROVINCE OF QUEBEC  
DISTRICT OF MONTREAL

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IN THE MATTER OF THE PROPOSAL OF:

9079-0403 QUEBEC INC.

*Debtor*

-and-

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RICHTER ADVISORY GROUP INC.

*Trustee*

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APPLICATION FOR COURT APPROVAL OF  
THE DEBTOR'S PROPOSAL  
(Article 58 of the *Bankruptcy & Insolvency Act*)

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ORIGINAL

CODE NO. BS0327

File: 12249-2

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**STEIN & STEIN INC.**

***Me Neil Stein***

***nstein@steinandstein.com***

4101 rue Sherbrooke Ouest

Montreal, Quebec, H3Z 1A7

TEL: 514-866-9806 / FAX: (514) 875-8218

1715962