

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE MADAM)

WEDNESDAY, THE 16TH DAY

JUSTICE DIETRICH)

DAY OF DECEMBER, 2020

BETWEEN:

TRINITY PLASTICS PRODUCTS INC.

Applicant

- and -

CUSTOM CO-EX TECHNOLOGIES INC.

Respondent

**ORDER
(December 16, 2020 – General Relief)**

THIS MOTION, made by BDO Canada Limited (“**BDO**”), in its capacity as the court appointed receiver (the “**Receiver**”) of the assets, undertakings and properties of Custom Co-Ex Technologies Inc. (the “**Debtor**”), for an order, *inter alia*:

1. approving the First Report of the Receiver dated December 3, 2020 (the “**First Report**”) and the conduct and activities of the Receiver as described in the First Report;
2. approving the Auction Agreement between Danbury Global Limited and the Receiver dated November 3, 2020;
3. approving a payout to the secured creditors of the Company, Trinity Plastics Products Inc. (“**Trinity**”) and TD Equipment Finance Canada, a division of Toronto-Dominion Bank (“**TD Bank**”);

4. authorizing the Receiver to assign the Debtor into bankruptcy and naming BDO as trustee in bankruptcy;
5. approving the fees and disbursements of the Receiver and its legal counsel, Chaitons LLP (“**Chaitons**”) as described in the First Report, the Affidavit of Josie Parisi sworn December 1, 2020 and the Affidavit of Saneea Tanvir sworn December 1, 2020 (collectively, the “**Fee Affidavits**”);
6. sealing the Confidential Supplemental Report to the First Report and the appendices thereto;

was heard this day at Toronto via Zoom videoconference due to the COVID-19 Pandemic.

ON READING the First Report, the Fee Affidavits and on hearing the submissions of counsel for the Receiver and such other counsel as listed on the counsel slip:

1. **THIS COURT ORDERS** that the time for service of the Receiver’s Notice of Motion and Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the First Report and the actions and activities of the Receiver as described therein be and hereby are approved.
3. **THIS COURT ORDERS** hereby approves the Auction Agreement between Danbury Global Limited and the Receiver dated November 3, 2020.
4. **THIS COURT ORDERS** hereby approves a payout to the secured creditors of the Company, Trinity and TD Bank in the amounts set out in the First Report.
5. **THIS COURT ORDERS** that the Receiver is authorized to assign the Debtor into bankruptcy and that BDO shall act as trustee in bankruptcy.
6. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as described in the First Report and the Fee Affidavits be and hereby are approved.

7. **THIS COURT ORDERS** the sealing of the Confidential Supplemental Report to the First Report and the appendices thereto *until the closing of the transaction contemplated* ~~to~~ *by an Asset Purchase Agreement dated November 30, 2020, or by further order of this Court.* ~~to~~

Dietrich J.

TRINITY PLASTICS PRODUCTS INC.

-and-

CUSTOM CO-EX TECHNOLOGIES INC.

Applicant

Respondent

Court File No. CV-00642816-00CL

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SUPERIOR COURT OF JUSTICE
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PROCEEDING COMMENCED AT
TORONTO

**ORDER
(GENERAL RELIEF)**

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