

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF QUEBEC

No. 200-11-025040-182

DATE: October 12, 2022

UNDER THE PRESIDENCY OF THE HONORABLE DANIEL DUMAIS, S.C.J. (Superior Court Judge)

IN THE MATTER OF THE *ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR*, RLRQ. c E-6.1 of the:

FINANCIAL MARKETS AUTHORITY

Plaintiff

vs.

DOMINIC LACROIX

Defendant

and

RAYMOND CHABOT ADMINISTRATEUR PROVISOIRE INC.

Provisional Administrator

ORDER APPROVING PLAN AMENDMENTS AND LATE CLAIMS

[1] **WHEREAS** the Order of July 5, 2018, ordering the appointment of the Provisional Administrator (the “**Initial Order**”);

[2] **WHEREAS** the Order of August 30, 2019, granting the Provisional Administrator the powers necessary to prepare distribution plans;

[3] **WHEREAS** the Order of January 31, 2022, providing for the approval of the Distribution Plan for the amended Canadian Fund of December 10, 2021, and of the Distribution Plan for the US Fund (second amendment) of January 24, 2022

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(collectively, the "**Approved Plans**") filed by the Provisional Administrator (the "**Plans Approval Order**"):

[4] **WHEREAS** the Request for approval of modifications to the distribution plans and the filing of late proofs of claims filed by the Provisional Administrator on October 4, 2022 (the "**Request**");

[5] **WHEREAS** the Distribution Plan for the Canadian Fund (Second Amendment) dated October 3, 2022 (the "**Canadian Distribution Plan**"), Exhibit P-4 in support of the Request, and the Distribution Plan for the US Fund (third amendment) dated October 3, 2022 (the "**US Distribution Plan**" and, collectively with the Canadian Distribution Plan, the "**Plans**"). Exhibit P-5 in support of the Request;

[6] **WHEREAS** the Provisional Administrator is of the opinion that the persons who filed their proofs of claims between the date of the Order approving the plans and September 1, 2022, i.e. after the Deadline for filing Claims (within the meaning of the Complaints Handling Order of May 7, 2021, the "**Complaints Handling Order**"), have inadvertently and without bad faith:

[7] **WHEREAS** the modifications requested are to the advantage of the creditors:

[8] **WHEREAS** the representations of the parties' lawyers:

[9] **WHEREAS** the *Act respecting the regulation of the financial sector*, RLRQ. c e-6.1 and the inherent powers of the court;

FOR THESE REASONS, THE TRIBUNAL:

[10] **GRANTS** the Request.

[11] **DECLARES** that the modifications to the approved Plans made by the Plans, Exhibits P 4 and P-5 in support of the Request, are approved

[12] **DECLARES** that the filing of the proofs of claim received by the Provisional Administrator between the date of the Plans Approval Order and September 1, 2022, such as these proofs of claim are listed in the Distribution slip of the October 3, 2022. Exhibit P-3 in support of the Request is allowed and,

that accordingly the Provisional Administrator, may proceed with the examination and processing of these proofs of claim as if they had been timely filed in accordance with the Ordinance relating to the processing of claims.

[13] **DECLARES** that, on the date of the Certificate of Performance (within the meaning of the Plans), the Provisional Administrator will be automatically released from his duties, duties and responsibilities of the Provisional Administrator appointed by the Court in accordance with the Initial Order.

[14] **ORDERS** the provisional execution of this order notwithstanding appeal and this, without a bond being required.

[15] **THE WHOLE**, without court costs.

[illegible signature]
DANIEL DUMAIS, s.c.j.