



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: BK-26-03429084-0032/CL-26-
00000439-0000

DATE: October 20, 2026

NO. ON LIST: 1

TITLE OF PROCEEDING: HMT HOLDINGS INC. v. SIREG HOLDINGS (NORTH) INC. et al

BEFORE: JUSTICE STEELE

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Timothy Duggan	Moving unit owners	tduggan@lddclawyers.com
David Rosenblat	AlixPartners Restructuring, Inc., Proposal Trustee	drosenblat@osler.com
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Noah Goldstein	The Proposal Trustee	noah.goldstein@alixpartners.com
Jeffrey J. Simpson	LLP HMT Holdings Inc.	jsimpson@torkinmanes.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
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For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
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ENDORSEMENT OF JUSTICE STEELE:

[1] The Proposal Trustee seeks an order that will, among other things:

- (a) Terminate the period within which certain of the SIREG Entities may file a proposal, pursuant to s. 50.4(11) of the BIA, such that each of those SIREG Entities will be deemed to have made an assignment in bankruptcy; and
- (b) Authorize AlixPartners to administer the resulting bankruptcy estates on a procedurally consolidated basis.

[2] The Order sought by the Proposal Trustee is unopposed.

[3] 1000018790 Ontario Ltd. did not oppose the order sought. However, 790 Ontario is of the view that the deemed bankruptcy should also apply to Sutton or the court should either order a lift stay or declare it inoperative in respect of 790 Ontario. The Proposal Trustee asked that the matter raised by 790 Ontario be adjourned so that responding materials could be filed. After hearing submissions, I granted a brief adjournment. 790 Ontario's motion will proceed on **October 26, 2026, at 10 am (90 minutes)**. The following timetable applies for delivery of materials:

- (a) Responding materials by end of day on October 22, 2026;
- (b) Reply materials, if any, by end of day on October 23, 2026.

- [4] Capitalized terms used in this endorsement that are not defined herein have the meaning set out in the Proposal Trustee's factum.
- [5] Section 50.4(11) of the BIA provides that the initial thirty-day period for making a proposal (per s. 50.4 of the BIA) may be terminated early. To terminate in this manner, the court must be satisfied that one of the following disjunctive criteria applies:
- (a) The insolvent person has not acted, or is not acting, in good faith and with due diligence;
 - (b) The insolvent person will not likely be able to make a viable proposal before the expiration of the period in question;
 - (c) The insolvent person will not likely be able to make a proposal, before the expiration of the period in question, that will be accepted by the creditors; or
 - (d) The creditors as a whole would be materially prejudiced were the application under this subsection rejected.
- [6] Where the period is terminated under s. 50.4(11) of the BIA, s. 50.4(8), including the deemed assignment into bankruptcy, applies as if the period for making the proposal had expired.
- [7] The Proposal Trustee states that the applicable SIREG Entities will not likely be able to make a viable proposal because:
- (a) As of today, the applicable SIREG Entities will not have enough liquidity to fund their operations and pay their employees, and therefore would not be able to maintain their operations for the balance of the proposal period, or for any potential restructuring or sale process;
 - (b) The applicable SIREG Entities would not be able to fund the costs of any hypothetical restructuring or sale process; and
 - (c) As a result of the Lift Stay Orders, only limited property remains that could be subject to any restructuring or sale process.
- [8] I am satisfied that early termination of the NOI Proceedings is appropriate in the instant case. Bankruptcy represents the best path forward for these companies and will facilitate an orderly wind-down.
- [9] There will be 16 Estates upon the termination of the NOI Proceedings. The proposed NOI Termination Order authorizes AlixPartners, in its capacity as Trustee, to administer the Estates on a consolidated basis. I agree with the submissions of the Proposal Trustee that procedural consolidation of the estates will allow for administrative and cost efficiencies and is appropriate. The proceedings will remain substantively separate.
- [10] Order to go in the form attached with immediate effect.

Date: Oct 20, 2026


Justice J. Steele