



SUPERIOR COURT OF JUSTICE

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: 23-703933-00CL

DATE: October 13th, 2023

NO. ON LIST: 1

TITLE OF PROCEEDING: QUALITY RUGS CANADA LIMITED V WAYGAR CAPITAL INC
BEFORE: JUSTICE PENNY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
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For Defendant, Respondent, Responding Party:

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For Other, Self-Represented:

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

- [1] The lien regularization motion was to have proceeded today. The applicants' latest draft was circulated late last night, giving stakeholders effectively no time to consider it. Further, because negotiations have been ongoing, there is no motion material before the court, and no responding material. The matter will have to be adjourned, again.
- [2] It also became apparent that because the LRO issue has not been resolved, the applicants will not be in a position to bring, nor other stakeholders respond to, a sale approval motion. Accordingly, the October 18 date reserved for that motion is vacated.
- [3] Perhaps through excessive optimism, or for other reasons, matters have tended not to be ready to proceed as scheduled in this CCAA proceeding. I expect to see increased focus on getting the job done and delivering material on a timely basis so that stakeholders and the court can be prepared, and on making all this happen on a timetable that ensures the matter will proceed as scheduled and in an orderly, fair way.
- [4] In the circumstances, I am not prepared to fix any other dates for the hearing of the LRO and sale approval motions until I am assured that settlement discussions have reasonably run their course, motion material has been served and that the matter is ready to proceed on reasonable notice to all stakeholders.
- [5] I have provided counsel to the Monitor with some possible dates I can make myself available once these preconditions are met. I will endeavor to accommodate the proposed timetable once it becomes clear these matters are ready to proceed.
- [6] The Housing One and GG Eight motions are also adjourned without a fixed day. They can be rescheduled in accordance with the directions set out above.


Penny J.