



SUPERIOR COURT OF JUSTICE

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00703292-00CL/**CV-23-00703933-00CL**

DATE: November 20, 2023

NO. ON LIST: 1

TITLE OF PROCEEDING: QUALITY RUGS CANADA LIMITED v WAYGAR CAPITAL INC and WAYGAR CAPITAL INC. AS AGRENT FOR NINEPOINT CANADIAN SENIOR DEBT MASTER FUND LP. V QUALITY RUGS CANADA LIMITED

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, Intervenor & Observers:

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ENDORSEMENT OF JUSTICE PENNY:

- [1] This matter was converted to a receivership on October 31. A return date of November 24 was set to deal with certain matters, including priority matters. There are now nine motions pending, several of which concern complex and disputed priority matters. Some motions are likely to be unopposed. Others raise discrete issues that can be deal with relatively expeditiously.
- [2] The most immediate and controversial priority issue involves suppliers’ trust claims, which the suppliers say are being “dissipated” in the course of the ongoing CCAA and receivership proceedings. The evidence of the parties whose interest is directly involved has been filed, but the schedule for filing factums has left relevant parties with insufficient time to brief the matter properly.
- [3] The date for hearing the suppliers’ priority motion is fixed for December 7, 2023, for a full day. This date is peremptory for all parties. The adjournment is without prejudice to all positions asserted by the suppliers.
- [4] The Receiver’s motions (expected to be unopposed), and two others, which (the parties say) can be dealt with expeditiously, shall proceed on November 24. The two addition motions are the GG Eight motion and the former QSG officers and directors’ motion.
- [5] All other matters will be scheduled in due course as needed at the parties’ and the court’s convenience.



Penny J.