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In its Capacity as Monitor and Foreign Representative for the Debtor*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>In re:</p> <p>IMPERIAL TOBACCO CANADA LIMITED,</p> <p>Debtor in a Foreign Proceeding.</p>	<p>Chapter 15</p> <p>Case No. 19-10771(SCC)</p>
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**ORDER (I) SCHEDULING RECOGNITION HEARING,
(II) SPECIFYING DEADLINE FOR FILING OBJECTIONS
AND (III) SPECIFYING FORM AND MANNER OF NOTICE**

Upon the application (the “Application”)¹ of FTI Consulting Canada Inc., in its capacity as the court-appointed monitor (“Monitor”) and authorized foreign representative of Imperial Tobacco Canada Limited (“Debtor”) for an order (i) scheduling a hearing (the “Recognition Hearing”) on the relief requested in the *Verified Chapter 15 Petition for Recognition of Foreign Main Proceeding and Related Relief* and all exhibits appended thereto (the “Verified Petition”), (ii) setting the seventh day before the date of the Recognition Hearing as the deadline by which all objections to the Verified Petition must be filed and (iii) approving the form of notice of the Recognition Hearing, it is hereby

¹ Any capitalized term not otherwise defined herein shall have the meaning ascribed to such term in the Application.



ORDERED, that the Recognition Hearing shall be held before this Court in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, on April 15, 2019 at 2:00 p.m. (prevailing Eastern Time); and it is further

ORDERED, that the form of notice of the Recognition Hearing annexed to this Order as **Exhibit A** (the “Notice”) is hereby approved; and it is further

ORDERED, that the notice requirements set forth in section 1514(c) of the Bankruptcy Code are inapplicable in the context of this Chapter 15 case or are hereby waived; and it is further

ORDERED, that copies of the Notice Documents shall be served by United States mail, first class postage prepaid, upon the Chapter 15 Notice Parties within three days of entry of this Order; and it is further

ORDERED, that any party in interest wishing to submit a response or objection to the Verified Petition or the relief requested therein must do so in writing, and in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules for the Bankruptcy Court for the Southern District of New York, setting forth the basis therefor, which response or objection must be filed electronically with the Court on the Court’s electronic case filing system in accordance with General Order M-399 and the Court’s Procedures for the Filing, Signing and Verification of Documents by Electronic Means (copies of which may be viewed on the Court’s website at www.nysb.uscourts.gov), and by all other parties in interest on a compact disc (CD), preferably in Portable Document Format (PDF), Word Perfect, or any other Windows-based word processing format, which CD shall be sent to the Office of the Clerk of the Court, One Bowling Green, New York, New York. A hard copy of such response or objection shall be sent to (i) the chambers of Shelley C. Chapman, United States Bankruptcy Judge, and (ii) served upon Bracewell LLP, Attn: Jennifer Feldsher and Mark E. Dendinger, 1251 Avenue of the Americas,

New York, NY 10020-1100, counsel to the Monitor, **so as to be received no later than 4:00 p.m. (New York time), on April 8, 2019**; and it is further

ORDERED, that service pursuant to this Order shall be deemed good and sufficient service and adequate notice of the Recognition Hearing.

Dated: March 14, 2019
New York, New York

/S/ Shelley C. Chapman
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT A

**Notice of Filing and Hearing on Petition for Recognition
Under Chapter 15 of the Bankruptcy Code and Motion for Related Relief**

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

IMPERIAL TOBACCO CANADA LIMITED,

Debtor in a Foreign Proceeding.

Chapter 15

Case No. 19-10771 (SCC)

**NOTICE OF FILING OF AND HEARING ON
PETITION FOR RECOGNITION UNDER CHAPTER 15 OF THE
UNITED STATES BANKRUPTCY CODE AND MOTION FOR RELATED RELIEF**

PLEASE TAKE NOTICE that on March 13, 2019, FTI Consulting Canada Inc., in its capacity as the court-appointed monitor (“Monitor”) and authorized foreign representative of Imperial Tobacco Canada Limited (the “Debtor”) in a proceeding (the “Canadian Proceeding”) under Canada’s *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, pending before the Ontario Superior Court of Justice (Commercial List) at Toronto, commenced a Chapter 15 case ancillary to the Canadian Proceeding, seeking recognition of such foreign proceeding as a “foreign main proceeding” and relief in aid of the Canadian Proceeding in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) with respect to the Debtor.

PLEASE TAKE FURTHER NOTICE that the Monitor seeks entry of an order (i) recognizing the Canadian Proceeding as a “foreign main proceeding” pursuant to section 1517 of Title 11 of the United States Code (the “Bankruptcy Code”), (ii) granting all relief automatically available pursuant to section 1520 of the Bankruptcy Code, including a stay of execution against the Debtor’s assets in the United States and express authorization from the Court for the Debtor to maintain its supply chain, inventory management and distribution processes and otherwise continue its business operations in the United States in the ordinary course, and barring, enjoining, and staying, pursuant to section 362 of the Bankruptcy Code, any action to interfere with these assets, business operations and processes, (iii) the extension of any provisional relief granted under

section 1519(a) on a permanent basis in accordance with section 1521(a)(6) of the Bankruptcy Code; and (iv) such other and further relief as is appropriate under the circumstances pursuant to sections 105(a) and 1507 of the Bankruptcy Code.

PLEASE TAKE FURTHER NOTICE that the Bankruptcy Court has scheduled a hearing to consider the relief requested by the Monitor for 2:00 p.m. (prevailing Eastern Time) on April 15, 2019 (the “Recognition Hearing”). Copies of the Monitor’s Verified Petition for Recognition of Foreign Main Proceeding and Related Relief (the “Verified Petition”) and all other accompanying documentation are available to parties-in-interest on the Bankruptcy Court’s Electronic Case Filing System, which can be accessed at the Bankruptcy Court’s website at <http://nysb.uscourts.gov> (a PACER login and password is required to retrieve a document) or upon written request to the Monitor’s counsel (including facsimile or email) addressed to:

Bracewell LLP
Attn: Mark E. Dendinger
1251 Avenue of Americas
New York, New York 10020-1104
Facsimile: (212) 508-6101
Email: Mark.Dendinger@bracewell.com

PLEASE TAKE FURTHER NOTICE that, at the hearing, the Court may order the scheduling of a case management conference to consider the efficient administration of the case.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to submit a response or objection to the Verified Petition or the relief requested therein must do so in writing, and in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules for the Bankruptcy Court for the Southern District of New York, setting forth the basis therefor, which response or objection must be filed electronically with the Court on the Court’s electronic case filing system in accordance with General Order M-399 and the Court’s Procedures for the Filing, Signing and Verification of Documents by Electronic Means (copies of which may be viewed on the Court’s website at www.nysb.uscourts.gov), and by all other parties in interest on a compact disc (CD), preferably in Portable Document Format (PDF), Word Perfect, or any other Windows-based word processing format, which CD shall be sent to the Office of the Clerk of the Court, One Bowling Green, New York, New York. A hard copy of such response or objection shall be sent to (i) the chambers of Shelley C. Chapman, United States Bankruptcy Judge and (ii) served upon Bracewell LLP, Attn: Jennifer Feldsher and Mark E. Dendinger, 1251 Avenue of the Americas, New York, NY 10020-1100, counsel to the Monitor, **so as to be received no later than 4:00 p.m. (New York time), on April 8, 2019.**

PLEASE TAKE FURTHER NOTICE that all parties in interest opposed to the Verified Petition or the relief requested therein must appear at the Recognition Hearing at the time and place set forth above.

PLEASE TAKE FURTHER NOTICE that if no response or objection is timely served as provided herein, the Court may grant the relief requested in the Verified Petition without further notice.

PLEASE TAKE FURTHER NOTICE that the Recognition Hearing may be adjourned from time to time without further notice other than an announcement in open court, or a notice of adjournment filed with the Court, of the adjourned date or dates at the hearing or any other further adjourned hearing.

Dated: March 14, 2019
New York, New York

By: /s/_____
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