

DEC 13 2017

Halifax, NS

2017

Hfx No. 470769

SUPREME COURT OF NOVA SCOTIA
In Bankruptcy and Insolvency

IN THE MATTER OF: The *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended

IN THE MATTER OF: A Plan of Compromise or Arrangement of Atlantica Diversified Transportation Systems Inc.

NOTICE OF MOTION

To: Attached Service List at Schedule "A"

Motion

Atlantica Diversified Transportation Systems Inc. moves for an order:

- (a) Granting a 45 day extension of the Initial Order of December 7, 2017;
- (b) For the issuance of a Claims Procedure Order; and
- (c) That the stay of proceedings in the Initial Order be lifted to the extent necessary to permit Canadian Western Bank or Canadian Western Bank Leasing Incorporated to continue to enforce its lease or security interests with respect to units seized prior to the date of the Initial Order, and waiving any requirement for prior notice of sale or disposition to any party pursuant to section 60 of the *Personal Property Security Act* (Nova Scotia) and the equivalent sections in the legislation of any other Province.

Time and Place

The motion is to be heard by the Honourable Justice James L. Chipman, in Chambers, on Friday, December 22, 2017 at 9:30 a.m. at the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia.

References

The moving party relies on the following legislation, Rules, or points of law:

1. *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36.

Evidence

The following will be offered in support of this motion:

1. The affidavits on file herein;
2. A Report of BDO Canada Limited, the Monitor, to be filed; and
3. A supplemental affidavit of David Montgomery, to be filed.

A copy of the evidence not already filed with the Court will be delivered to you prior to the hearing.

Possible order against you

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed orders should be made. If you do not attend, the judge may grant orders without further notice to you.

Signature

Signed December 13th, 2017.



D. Bruce Clarke, Q.C.

Solicitor for the Monitor

Burchells LLP

1801-1800 Hollis Street

Halifax NS B3J 3N4

Tel: (902) 423-6361

Fax: (902) 420-9326

Email: bclarke@burchells.ca

**Counsel to Atlantica Diversified
Transportation Systems Inc.**

AMENDED SCHEDULE "A" – Service List
December 11, 2017

Party	Method of Service
Canada Western Bank and Canada Western Bank Leasing Inc.	Solicitor: Gavin MacDonald Cox & Palmer Purdy's Wharf Tower I 1100-1959 Upper Water Street Halifax NS B3J 3E5 Email: gmacdonald@coxandpalmer.com
Penske Truck Leasing Canada Inc. Rt. 10 Green Hills PO Box 791 Reading PA 19603 USA	Courier
Wells Fargo Equipment Finance Company 700-2550 Victoria Park Avenue Toronto ON M2J 5A9	Courier
Royal Bank of Canada 10 York Mills Road Toronto ON M2P 0A2 Fax: (416) 512-6650	Courier
Clarke Transport Inc. c/o O'Toole, Jeffrey S. Flatbed Operations Manager 140 Horseshoe Lake Drive Halifax NS B3S 0B7 Phone: (902) 450-2536 Fax: (902) 450-0090	Solicitor: Careen Hannouche TFI International Inc. 500-8801 Trans-Canada Highway Saint-Laurent QC H4S 1Z6 Tel: (514) 331-4351 Fax: (514) 331-4458 Email: channouche@tfiintl.com Solicitor: Patrick-James Blaine TFI International Inc. 500-8801 Trans-Canada Highway Saint-Laurent QC H4S 1Z6 Tel: (514) 331-4154 Email: pblaine@tfiintl.com
Workers' Compensation Board of NS 5668 South Street Halifax NS B3J 2Y2 Attention: Brenda Carvery	Email: brenda.carvery@wcb.ns.ca Phone: (902) 491-8318 Fax: (902) 491-8325
Accutrac Capital Solutions Inc. 74 Mississauga Street East Orillia ON L3V 1V5	Solicitor: Christopher A.L. Caruana Wilson Vukelich LLP 60 Columbia Way, 7th Floor Markham ON L3R 0C9 Email: ccaruana@wvllp.ca

Party	Method of Service
Design Group Staffing Inc. c/o Gillian C. Osborne, Regional Manager 3-26 Bancroft Lane Dartmouth NS B3B 1G3 Phone: (902) 481-2771 Fax: (902) 481-2779	Solicitor: Charles Reagh Stewart McKelvey 900-1959 Upper Water Street Halifax NS B3J 2X2 Email: creagh@stewartmckelvey.com
Trailer Wizards Ltd. Dale Scoles, Credit Manager 1880 Britannia Road East Mississauga ON L4W 1J3 Phone: (403) 592-6162 Fax: (905) 670-7130	Solicitor: Matthew Moir Weldon McInnis 118 Ochterloney Street Dartmouth NS B2Y 1C7
Trailer Wizards Ltd. 125 MacNaughton Avenue Moncton NB E1H 3N3 Phone: (506) 858-8480 Fax: (506) 858-8307	Email: mmoir@welconmcinnis.ca
Roops Cleaners 2009 Limited c/o Keltic Collections, Vince Neary Mgr. 46 Inglis Place, Suite 3 Truro NS B2N 5B6 Phone: (902) 895-1675 Fax: (902) 895-5633	Email: vneary@kelticcollections.ca
Hawkins Truck Mart Ltd. (now Peterbilt) 125 Greenview Drive Hanwell NB E3C 0L4	Courier
National Leasing Group Inc. 1525 Buffalo Place Winnipeg MB R3T 1L9 Phone: (204) 954-9000 Fax: (866) 814-4752	Courier
RCAP Leasing Inc. 300-5575 North Service Road Burlington ON L7L 6M1	Courier
Bank of Montreal 200-5750 Explorer Drive Mississauga ON L4W 0B1	Courier
Northeast Truck & Trailer Sales William Yorke, President 146 Lower Truro Road Truro NS B2N 1B1 Phone: (902) 895-8400 Fax: (902) 897-8401	Solicitor: Peter Zed Cox & Palmer 1100-1959 Upper Water Street Halifax NS B3J 3E5 Email: pzed@coxandpalmer.com

Party	Method of Service
3237541 Nova Scotia Limited William York, President 146 Lower Truro Road Truro NS B2N 1B1	
Blue Chip Leasing Corporation Unit 8-156 Duncan Mill Road Toronto ON M3B 3N2 Phone: (204) 954-9000 Fax: (866) 814-4752	Courier
Element Financial Corporation 900-4 Robert Speck Parkway Toronto ON L4Z 1S1	Courier
Nissan Canada Financial Services Inc. 5290 Orbitor Drive Mississauga ON L4W 4Z5	Courier
Great Lakes Leasing, a Division of 1354439 Ontario Inc. 1401-50 Prince Arthur Avenue Toronto ON M5R 1B5	Courier
David Montgomery President and CEO Atlantica Diversified Transportation Services Inc. 19-10 Morris Drive Dartmouth NS B3B 1K8	Solicitor: D. Bruce Clarke, Q.C. Burchells LLP 1800-1801 Hollis Street Halifax NS B3J 3N4 Email: bclarke@burchells.ca
BDO Canada Limited 301-255 Lacewood Drive Halifax NS B3M 4G2 Attn: Philip Clarke, Senior Vice-President Email: pclarke@bdo.ca	Solicitor: Adam Crane Patterson Law 2100-1801 Hollis Street Halifax NS B3J 3N4 Email: acrane@pattersonlaw.ca
Vaughn Sturgeon, a Shareholder of Atlantica Diversified Transportation Systems Inc.	Solicitor: Sara L. Scott Stewart McKelvey 900-1959 Upper Water Street Halifax NS B3J 2X2 Email: sscott@stewartmckelvey.ca
Rodd Management Limited PO Box 432 Charlottetown PE C1A 7K7	Solicitor: Steven Forbes Cox & Palmer 600-97 Queen Street Charlottetown PE Email: sforbes@coxandpalmer.com