

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

BUSINESS DEVELOPMENT BANK OF CANADA

Applicant

- and -

**ASTORIA ORGANIC MATTERS LTD. and
ASTORIA ORGANIC MATTERS CANADA LP**

Respondents

**IN THE MATTER OF AN APPLICATION PURSUANT TO SUBSECTION 243(1) OF THE
BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985 c. B-3, AS AMENDED; AND
SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43 AS AMENDED**

THIRD SUPPLEMENT

**TO THE FOURTH REPORT TO THE COURT
SUBMITTED BY BDO CANADA LIMITED
IN ITS CAPACITY AS RECEIVER OF ASTORIA ORGANIC MATTERS LTD. and
ASTORIA ORGANIC MATTERS CANADA LP**

FEBRUARY 27, 2018

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1.1 Introduction

1.1.1 The SusGlobal Motion was returnable on February 21, 2018 but the parties did not complete submissions. As a result, the Court requested that the parties return on February 27, 2018 to complete submissions.

1.2 Purpose of this Report

1.2.1 This report is the third supplement to the Receiver's Fourth Report dated December 8, 2017 (the "Third Supplement to the Fourth Report"), which is filed in support of these receivership proceedings to provide information to assist the Court in its review of the materials submitted in respect of the SusGlobal Motion.

1.3 Information for the Court

1.3.1 The Receiver included in its Fourth Report to the Court, filed, a copy of a Windrow Production Report at Appendix G thereto, which report set out the Windrows constructed by Astoria during the period March 13, 2017 to September 14, 2017. As reported in the Fourth Report, Astoria completed 5 Windrows during the period March 13, 2017 to April 12, 2017 and 23 Windrows in the period April 13, 2017 to Closing.

1.3.2 Attached as Appendix E to the SusGlobal Motion is a copy of the Debtors Material Report for the period of January 1, 2017 to November 22, 2017. In order to align the Debtors Material Receipts (i.e. from January 1, 2017 to the Closing Date) to the Windrows completed during the period, the Receiver hereby attaches as **Appendix A**, a copy of a further Windrow Production Report to show the Windrows completed during the period January 1, 2017 through to March 12, 2017. As is illustrated, 11 Windrows were completed during that period.

The Receiver respectfully submits this Third Supplement to the Fourth Report to assist the Court in its review of the Court materials submitted in respect of the SusGlobal Motion.

All of which is respectfully submitted this 27th day of February, 2018.

BDO CANADA LIMITED,
in its capacity as **COURT-APPOINTED RECEIVER OF**
ASTORIA ORGANIC MATTERS LTD. and
ASTORIA ORGANIC MATTERS CANADA LP,
and without personal or corporate liability



Per: Christopher J. Mazur CIRP LIT
Senior Vice President

APPENDIX A

Find Batch



Batch ID

-- ALL --

Dates

01.01.2017



Start

Heap ID

-- ALL --

 all

30.09.2017



End

Search Text

Site GUID

613343

Charge ID	SiteGUID	Memo	Beginn	△ Ende Datum	DB
1	613343	2016-08-25	25.08.2016	03.01.2017	25.08.2016
2	613343	2016-09-30	30.09.2016	02.02.2017	30.09.2016
3	613343	2016-10-17	17.10.2016	04.01.2017	17.10.2016
4	613343	2016-10-24	24.10.2016	07.02.2017	24.10.2016
5	613343	2016-10-28	28.10.2016	15.02.2017	28.10.2016
6	613343	2016-11-02	02.11.2016	21.02.2017	02.11.2016
7	613343	1/3/2017	03.01.2017	03.01.2017	03.01.2017
8	613343	1/3/2017	03.01.2017	24.01.2017	03.01.2017
9	613343	1/4/2017	04.01.2017	27.02.2017	04.01.2017
10	613343	1/18/2017	18.01.2017	06.03.2017	18.01.2017
11	613343	1/24/2017	24.01.2017	13.03.2017	24.01.2017
12	613343	2/1/2017	01.02.2017	21.03.2017	01.02.2017
13	613343	2/8/2017	08.02.2017	27.03.2017	08.02.2017
14	613343	2/13/2017	13.02.2017	04.04.2017	13.02.2017
15	613343	2/22/2017	22.02.2017	11.04.2017	22.02.2017
16	613343	2/28/2017	28.02.2017	17.04.2017	28.02.2017
17	613343	3/6/2017	06.03.2017	25.04.2017	06.03.2017
18	613343	3/13/2017	13.03.2017	02.05.2017	13.03.2017
19	613343	3/21/2017	21.03.2017	08.05.2017	21.03.2017
20	613343	3/27/2017	27.03.2017	15.05.2017	27.03.2017
21	613343	4/3/2017	03.04.2017	23.05.2017	03.04.2017
22	613343	4/11/2017	11.04.2017	29.05.2017	11.04.2017
23	613343	4/18/2017	18.04.2017	05.06.2017	18.04.2017
24	613343	4/26/2017	26.04.2017	13.06.2017	26.04.2017
25	613343	5/3/2017	03.05.2017	19.06.2017	03.05.2017
26	613343	5/9/2017	09.05.2017	27.06.2017	09.05.2017
27	613343	5/16/2017	16.05.2017	04.07.2017	16.05.2017
28	613343	5/24/2017	24.05.2017	11.07.2017	24.05.2017