

BUSINESS DEVELOPMENT BANK OF CANADA et al.
Applicants

-and- ASTORIA ORGANIC MATTERS LTD. et al.
Respondents
(Respondents in Appeal)

M49948

Court of Appeal File No. C65512
Court File No. CV-17-11760-00CL

COURT OF APPEAL FOR ONTARIO

BEFORE FAIRBURN J.A.

DATE JAN 03 2019

DISPOSITION OF MOTION

This motion is to extend time to ~~file~~ ^{vary or set aside} the decisions dated in M49872 + M49873. The M49872 endorsement, released yesterday, is awaiting reasons. Accordingly, a decision on the merit, as one of the prongs for considering an extension of time, cannot be determined as yet.

For efficiency, counsel have completed submissions on all but ^{the} merit on the M49872 matter, within 7 days of release of ~~the~~ these reasons, the moving party will file written submissions on the issue of merit. The respondent will file submissions within 2 days of receiving the MP's submissions.

COURT OF APPEAL FOR ONTARIO

PROCEEDING COMMENCED AT
TORONTO

MOTION RECORD

(Motion to Extend Time – Leave and Extension)

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File Number: 17987

RCP-E 4C (May 1, 2016)

The submissions will be no more
than 3 pages in length, double-
spaced.

Fank-jt.