

The Honorable Marc Barreca
Chapter 15
Hearing Date: March 22, 2013
Hearing Time: 11:00 a.m.
Hearing Location: Seattle
Response Date: March 15, 2013

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

BDO CANADA LIMITED
as Foreign Representative of

COMBAT SPORTS INC.
Debtor in Foreign Bankruptcy

No. 13-11632-MLB
(Jointly Administered)

In re:

BDO CANADA LIMITED
as Foreign Representative of

COMBAT SPORTS, INC.
Debtor in Foreign Bankruptcy

NOTICE OF (A) FILING AND HEARING ON
PETITIONS SEEKING RECOGNITION OF
FOREIGN PROCEEDINGS PURSUANT TO
CHAPTER 15 OF THE UNITED STATES
BANKRUPTCY CODE, (B) ENTRY OF
TEMPORARY RESTRAINING ORDER
GRANTING PROVISIONAL RELIEF IN AID
OF CANADIAN PROCEEDINGS AND (C)
HEARING ON MOTION FOR PRELIMINARY
INJUNCTION

PLEASE TAKE NOTICE that on February 26, 2013, BDO Canada Limited is the court-appointed receiver (the "**Receiver**") and authorized foreign representative of Combat Sports Inc. ("**Combat CND**") and Combat Sports, Inc. ("**Combat USA**," and collectively with Combat CND, "**Combat**") in a proceeding (the "**Canadian Proceeding**") under Subsection 243(1) of

NOTICE OF (A) FILING AND HEARING ON PETITIONS SEEKING
RECOGNITION OF FOREIGN PROCEEDINGS PURSUANT TO
CHAPTER 15, (B) ENTRY OF TEMPORARY RESTRAINING
ORDER GRANTING PROVISIONAL RELIEF (C) HEARING ON
MOTION FOR PRELIMINARY INJUNCTION- 1

HANSON BAKER LUDLOW DRUMHELLER P.S.
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Bellevue, WA 98004-2936
(425) 454-3374

1 Canada's *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (as amended) and Section 101 of
2 Ontario's *Courts of Justice Act*, R.S.O. 1990, c. C.43 (as amended), pending before the Superior
3 Court of Justice of Ontario, filed *Verified Petitions for Recognition of Foreign Proceeding and*
4 *Related Relief* (collectively, the "**Chapter 15 Petitions**") in the United States Bankruptcy Court
5 for the Western District of Washington (the "**Bankruptcy Court**") under chapter 15 of title 11 of
6 the United States Code (the "**Bankruptcy Code**") commencing cases ancillary to the Canadian
7 Proceeding and seeking recognition of such foreign proceeding as a "foreign main proceeding"
8 and relief in aid therefore.
9

10 **PLEASE TAKE FURTHER NOTICE** that on February 26, 2013, the Receiver filed
11 with the Bankruptcy Court an *Ex Parte Motion for Temporary Restraining Order and, After*
12 *Notice and a Hearing, a Preliminary Injunction, Pursuant to Sections 105(a) and 1519 of the*
13 *Bankruptcy Code* (the "**Provisional Relief Motion**").
14

15 **PLEASE TAKE FURTHER NOTICE** that on February 26, 2013, the Bankruptcy Court
16 entered a Temporary Restraining Order (the "**TRO**") granting the Receiver provisional relief
17 under sections 1519(a)(1), 1519(a)(7) and 105(a) of the Bankruptcy Code staying execution
18 against Combat's assets and applying sections 365(e) and 362 of the Bankruptcy Code in
19 Combat's Chapter 15 Cases on a provisional basis pending a hearing on the Receiver's request for
20 a preliminary injunction extending such relief until such time as an order disposing of the Chapter
21 15 Petitions is entered.
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MOTION FOR PRELIMINARY INJUNCTION- 2

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1 **PLEASE TAKE FURTHER NOTICE** that on February 26, 2013, the Bankruptcy Court
2 entered an Order for Joint Administration of the Combat Chapter 15 Cases under Case No. 13-
3 11632.

4 **PLEASE TAKE FURTHER NOTICE** that a hearing has been scheduled for **March 22,**
5 **2013 at 11:00 a.m. (PST)** before the Honorable Marc Barreca in Courtroom 7106, 700 Stewart
6 Street, Seattle, Washington, to consider the Chapter 15 Petitions and any objections or responses
7 thereto (the “**Recognition Hearing**”).

8 **PLEASE TAKE FURTHER NOTICE** that a hearing has been scheduled for **March 22,**
9 **2013 at 11:00 a.m. (PST)** before the Honorable Marc Barreca in Courtroom 7106, 700 Stewart
10 Street, Seattle, Washington, to consider the Chapter 15 Petitions and any objections or responses
11 thereto (the “**Preliminary Injunction Hearing**”).

12 **PLEASE TAKE FURTHER NOTICE** that objections or responses, if any, to the
13 Provisional Relief Motion must be made in writing describing the basis therefore and filed with
14 the Bankruptcy Court electronically through the Bankruptcy Court’s electronic case filing system
15 in accordance with the Local Rules of the Bankruptcy Court, and served upon the Receiver’s U.S.
16 counsel and counsel for PNC Bank Canada Branch by no later than **March 15, 2103** at 5:00 p.m.
17 at the following addresses:

18 Receiver’s United States Counsel
19 Dickinson Wright PLLC
20 Attn: Dawn Copley
21 500 Woodward Avenue, Suite 4000
22 Detroit, MI 48226
23 dcopley@dickinsonwright.com

Hanson Baker Ludlow Drumheller P.S.
Attn: Merrilee A. MacLean
2229 112th Avenue NE, Suite 200
Bellevue, WA 98004
mmaclean@hansonbaker.com

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25 NOTICE OF (A) FILING AND HEARING ON PETITIONS SEEKING
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MOTION FOR PRELIMINARY INJUNCTION- 3

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1 PNC Bank Canada Branch's Counsel

2 Aird & Berlis LLP

3 Attn: Kenneth Rosenstein

4 BCE Place, Suite 1800

5 181 Bay Street

6 Toronto, Ontario M5J 2T9

7 Canada

8 krosenstein@airdberlis.com

9 The Local Rules of the Bankruptcy Court may be accessed at
10 <http://www.wawb.uscourts.gov>.

11 **PLEASE TAKE NOTICE** that objections or responses, if any, to the Chapter 15
12 Petitions must be made in writing describing the basis therefore and filed with the Bankruptcy
13 Court electronically through the Bankruptcy Court's electronic case filing system in accordance
14 with the Local Rules of the Bankruptcy Court, and served upon the Receiver's U.S. counsel and
15 counsel for PNC Bank Canada Branch by no later than **March 15, 2013** at 5:00 p.m. The Local
16 Rules of the Bankruptcy Court may be accessed at <http://www.wawb.uscourts.gov>.

17 **PLEASE TAKE FURTHER NOTICE** that if no response or objection is timely filed
18 and served as provided above, the Bankruptcy Court may grant the recognition and relief
19 requested by the Receiver without further notice or hearing.

20 **PLEASE TAKE FURTHER NOTICE** that the Recognition Hearing and the Preliminary
21 Injunction Hearing may be adjourned from time to time without further notice other than an
22 announcement in open court at the Recognition Hearing or the Preliminary Injunction Hearing of
23 the adjourned date or dates or any further adjourned hearing.

24
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1 **PLEASE TAKE FURTHER NOTICE** that no time period or place for the filing of
2 proofs of claim has been established and creditors (secured or otherwise) need not file proofs of
3 claim at this time.

4 Copies of the Chapter 15 Petitions, the Provisional Relief Motion and other filing in these
5 cases are available on the Bankruptcy Court's Electronic Case Filing System, which can be
6 accessed from the Bankruptcy Court's website at <https://ecf.wawb.uscourts.gov> (a PACER login
7 and a password are required to retrieve a document), and/or upon written request to the
8 Receiver's U.S. counsel addressed to:

9
10 Dickinson Wright PLLC
11 Attn: Dawn Copley
12 500 Woodward Avenue, Suite 4000
13 Detroit, Michigan 48226
14 dcdopley@dickinsonwright.com

15 Dated: February 26, 2013

16 DICKINSON WRIGHT PLLC
17 By: /s/ James A. Plemmons
18 James A. Plemmons (42892)
19 Dawn R. Copley (P53343)
20 500 Woodward Avenue, Suite 4000
21 Detroit, MI 48226
22 (313) 223-3500
23 (313) 223-3598 (fax)
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25 Attorneys for BDO Canada Limited, as
Receiver and Foreign Representative of
Combat Sports Inc. and Combat Sports, Inc.

 HANSON BAKER LUDLOW DRUMHELLER P.S.

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Foreign Representative of Combat Sports Inc. and
Combat Sports, Inc.

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