

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR. ) THURSDAY, THE 26<sup>TH</sup> DAY  
 )  
JUSTICE MORAWETZ ) OF SEPTEMBER, 2013

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,  
R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT  
OF THE JOHN FORSYTH SHIRT COMPANY LTD., FORSYTH HOLDINGS, INC.  
and FORSYTH OF CANADA, INC.**

**APPLICATION UNDER THE COMPANIES' CREDITORS ARRANGEMENT ACT,  
R.S.C. 1985, c. C-36, AS AMENDED**



**ORDER  
(Stay Extension)**

**THIS MOTION**, made by The John Forsyth Shirt Company Ltd., Forsyth Holdings, Inc. and Forsyth of Canada, Inc. (collectively, the "**Applicants**"), for an order, *inter alia*:

- a) extending the Stay Period (as defined in the Initial Order of the Honourable Mr. Justice Wilton-Siegel granted on February 22, 2013 in these proceedings (the "**Initial Order**")) to a date to be specified by the Court that is no later than October 18, 2013;
- b) approving the Fourth Report of BDO Canada Limited, in its capacity as the Court-appointed monitor of the Applicants (in such capacity, the "**Monitor**") dated September 24, 2013 (the "**Fourth Report**") and the Supplementary Report of the

Fourth Report dated September 25, 2013 (the “**Supplementary Report**”), and approving the actions of the Monitor described therein;

- c) approving the fees and disbursements of the Monitor and its counsel; and
- d) approving a further amendment to the debtor-in-possession financing facility, as amended (the “**DIP Credit Agreement**”) with Wells Fargo Capital Finance Corporation Canada and Wells Fargo Capital Finance, LLC (collectively, “**Wells Fargo**”) as attached to the Supplementary Report (the “**Third DIP Extension Agreement**”) to extend the maturity of the DIP Credit Agreement to the earlier of October 18, 2013 or an Event of Default (as defined in the DIP Credit Agreement),

was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the affidavit of Harris R. Hester sworn September 23, 2013 and the exhibits thereto, the Fourth Report and the Supplementary Report, and on hearing the submissions of counsel for the Applicants, counsel for the Monitor and counsel for Wells Fargo, no one appearing for any other person on the service list, although duly served as appears from the affidavit of Eunice Baltkois sworn September 23, 2013, filed,

1. **THIS COURT ORDERS** that the time for service and filing of the notice of motion and the motion record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

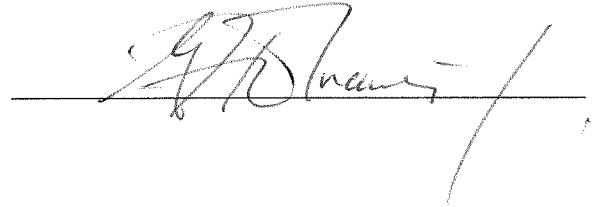
2. **THIS COURT ORDERS** that the Stay Period, as defined in paragraph 14 of the Initial Order, be and is hereby extended to and including October 18, 2013.

3. **THIS COURT ORDERS** that the Fourth Report and the Supplementary Report, and the actions of the Monitor described therein, be and are hereby approved.

4. **THIS COURT ORDERS** that the fees and disbursements of the Monitor for the period from May 2, 2013 to and including September 13, 2013, in the amount of \$98,247.90, inclusive of applicable HST, be and are hereby approved.

5. **THIS COURT ORDERS** that the fees and disbursements of the Monitor's legal counsel, Davis LLP, for the period from March 26, 2013 to and including August 26, 2013, in the amount of \$35,676.57, inclusive of HST, be and are hereby approved.

6. **THIS COURT ORDERS** that the Third DIP Extension Agreement between the Applicants and Wells Fargo dated September 24, 2013 be and is hereby approved.



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IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,  
R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT  
OF THE JOHN FORSYTH SHIRT COMPANY LTD., et al.

Court File No. CV-13-10009-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**ORDER**

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