

2025 01G 0491
IN THE SUPREME COURT OF NEWFOUNDLAND AND
LABRADOR IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF the *Companies*
Creditors Arrangement Act R.S.C., 1985
c. C- 36 as Amended (the "**CCAA**")

AND IN THE MATTER OF an application
of Karwood Contracting Ltd., Karwood
Engineering Ltd., Karwood Design
Group Ltd., and Karwood Ontario Ltd.
(the "**Applicants**")

NOTICE OF MOTION

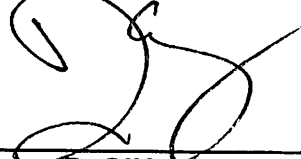
SUMMARY OF CURRENT DOCUMENT	
Court File Number:	2025 01G 0491
Date of Filing of Document:	23 April 2025
Name of Filing Party or Person:	Applicants
Application to which Documents Being Filed Relates:	Notice of Motion filed by the Applicants
Statement of Purpose of Filing:	Seeking distribution of proceeds of sale of property
Court Sub-File Number, if any:	N/A

1. The Applicants in this proceeding are applying for a distribution order (the "**Order**") pursuant to the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36, as amended (the "**CCAA**"), to, inter alia:
 - (a) abridge the time for service of the motion and the materials filed in support thereof, and dispensing with further service thereof; and
 - (b) confirm the distribution of certain sale proceeds (the "**Proceeds**") in the hands of the Monitor to the parties outlined in the Proposed Order.

2. Since the issuance of the amended and restated initial order on 17 June 2024 (the "ARIO"), the Applicants have coordinated with the Monitor and consulted with creditors and other stakeholders to develop a plan to stabilize their operations and proceed in a manner which will ensure maximum results under the CCAA.
3. On 11 April 2025 the Applicants applied for and were granted a Sale and Vesting Order for 59 Silver Birch Crescent, Paradise, NL.
4. The Applicant submits that this CCAA Proceeding remains the best solution available to stabilize its operational and financial situation and maximize value for stakeholders.
5. The Applicant submits that it has met the requirements of appropriateness, good faith, and due diligence.
6. Greater details as to the Applicant's activities since ARIO was granted are outlined in the Third Report. As noted in the Third Report, the Applicants have conducted the sale of their non-core assets in accordance with the principles of the CCAA and the Soundair test.
7. It is in the best interests of all stakeholders that the Proceeds of the sale of the non-core assets outlined in the Third Report be paid to the secured creditors of the Applicants in order of their priority so as to reduce the monthly holding costs associated with the debt held by these secured creditors over these assets.
8. The Applicant therefore seeks approval of the Order.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 23rd day of April 2025.

O'KEEFE & SULLIVAN



Darren D. O'Keefe
Solicitor for the Applicants
Suite 202, 80 Elizabeth Ave.
St. John's, NL, A1A 1W7
dokeefe@okeefesullivan.com

To: The Honourable Supreme Court

233 Duckworth Street,
St. John's, NL, A1C 1B6

And to:

The Service List attached hereto as **Schedule "A"**

**KARWOOD CONTRACTING LTD. AND KARWOOD ENGINEERING INC. AND KARWOOD
ONTARIO LTD. AND KARWOOD DESIGN GROUP LTD.**

**SCHEDULE "A"
MASTER SERVICE
LIST**

<p>O'KEEFE & SULLIVAN LAWYERS 80 Elizabeth Ave Suite 202 St. John's, N.L., A1A 1W7</p> <p>Darren O'Keefe dokeefe@okeefesullivan.com Tel: 709.700.0911</p> <p>Joshua L. Hancott jhancott@okeefesullivan.com</p> <p>80 Elizabeth Ave Suite 202 St. John's, N.L., A1A 1W7</p> <p>Counsel for the Applicants</p>	<p>BOYNE CLARKE LAWYERS 99 Wyse Road, Suite 600 P.O. Box 876, Dartmouth Main Dartmouth, NS B2Y 3Z5 JSantimaw@boyneclarke.ca Joshua J. Santimaw</p> <p>Counsel for the Monitor</p> <p>BDO Canada Limited 300 Kenmount Rd #200, St. John's, NL A1B 3R2</p> <p>Email: nejones@bdo.ca</p> <p>The Proposed Monitor</p>
<p>ROYAL BANK OF CANADA 1871 Hollis Street, 7th Floor Halifax, NS B3J 1M7</p> <p>David Savoie 902-421-4905 David.Savoie@rbc.com</p>	<p>AXIOM LEASING INC. 4 Robert Speck Pkwy 15th Floor, Mississauga, ON L4Z 1S1</p>
<p>MOSKOWITZ CAPITAL MORTGAGE FUND II INC.</p> <p>Stewart McKelvey Suite 1100, Cabot Place 100 New Gower St. St. John's, N.L. A1C 6K3 Tel 709.570.8851 Fax 709.722.4565</p> <p>Stephen Winter swinter@stewartmckelvey.com</p> <p>Joe Thorne</p>	<p>BANK OF MONTREAL 31 Water Street St. John's NL A1C 1A9 Canada Raffael Di Genova Raffael.digenova@bmo.com</p> <p>Cox & Palmer Scotia Centre, 235 Water St suite 1100, St. John's, NL A1C 1B6</p> <p>Josh McElman jmcelman@coxandpalmer.com</p>

<p>joethorne@stewartmckelvey.com</p>	<p>Allison Philpott aphilpott@coxandpalmer.com</p> <p>Counsel for the Bank of Montreal</p>
<p>ROYAL BANK OF CANADA 7101 Pare Avenue, 5th Floor Montreal QC H3N 1X9 Canada</p>	<p>CANADA REVENUE AGENCY Shawinigan – Sud National Verification Collections Centre 4695 Shawinigan- Sud Boulevard Shawinigan QC G9P 5H9</p> <p>Atlantic Canada AGC-PGC.Atlantic-Tax-Fiscal@justice.gc.ca</p>
<p>DEPARTMENT OF FINANCE Dept of Digital Government and Service NL 2nd Floor, West Block, P.O. Box 8700 St. John's, NL A1B 4J6 Tel 709-729-2981 Fax 709-729-2091</p> <p>collections@gov.nl.ca</p>	<p>Boreal Atlantic Ltd. 239 Main Street Milltown NL Canada A0H 1W0</p> <p>White Wayne Law Office wayne@waynewhitelaw.ca</p> <p>386 Elizabeth Ave, St. John's, NL A1B 3G3</p>
<p>WORKPLACE NL PO Box 9000 St. John's, NL A1A 3B8</p> <p>Jennifer Langdon jennifer.langdon@workplacnl.ca</p>	<p>STEELCASE FINANCIAL SERVICES LTD. 200 King Street west Suite 2400 Toronto ON M5H 3T4</p>
<p>FORD CREDIT CANADA LEASING, DIVISION OF CANADIAN ROAD LEASING COMPANY PO Box 2400 Edmonton AB T5J 5C7 Canada ON L4S 0C8</p>	<p>LIBRO CREDIT UNION LTD. 217 York Street London, Ontario N6A 5P9</p>

<p>BMW CANADA INC. 50 Ultimate Drive, Richmond Hill ,ON L4S 0C8</p>	<p>RANDY ORAM TAMMY ORAM 14 Old Topsail Hill CBS, NL, A1W 5W6 Canada</p>
<p>DEPARTMENT OF JUSTICE CANADA CRA Suite 1400, Duke Tower 5251 Duke Street Halifax NS B3J 1P3 Tel: 782-409-0068</p> <p>Deanna Frappier, K.C. Deanna.Frappier@justice.gc.ca Caitlin Ward caitlin.ward@justice.gc.ca</p>	<p>Kent Building Supplies c/o Learmonth, Boulos & Fitzgerald 804-140 Water St. PO Box 700, Stn. C St. John's, Newfoundland and Labrador A1C 5L4</p> <p>R. Barry Learmonth Email: barry@lbflegal.com</p>
<p>Quick Shot Contracting Inc.</p> <p>Peddigrew Wade Law 94 Elizabeth Avenue, Suite 4, 2nd Floor St. John's, NL A1B 1R8</p> <p>Isabella@pw-law.ca cpeddigrew@pw-law.ca</p>	

Email List

dokeefe@okeefesullivan.com; JSantimaw@boyneclarke.ca; Allan.MacDonald@ca.gt.com ;
David.Savoie@rbc.com; nejones@bdo.ca ; swinter@stewartmckelvey.com ;
joethorne@stewartmckelvey.com; Raffael.digenova@bmo.com; jmcelman@coxandpalmer.com
;AGC-PGC.Atlantic-Tax-Fiscal@justice.gc.ca ; collections@gov.nl.ca ;
jennifer.langdon@workplacenl.ca; Deanna.Frappier@justice.gc.ca ; barry@lbflegal.com ;
wayne@waynewhitelaw.ca

**Karwood Contracting Ltd. And Karwood Engineering Inc. And Karwood Ontario Ltd. And
Karwood Design Group Ltd.**