

**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 "CCA"); and

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

<b>SUMMARY OF CURRENT DOCUMENT</b>	
<b>Court File Number (s):</b>	2025 01G 0491
<b>Date of Filing of Document:</b>	15 September 2025
<b>Name of Filing Party or Person:</b>	The Companies
<b>Application to which Document being filed relates:</b>	N/A
<b>Statement of purpose in filing:</b>	To seek an injunction against the Bank of Montreal and MNP Ltd. in appointing a private receiver.
<b>Court Sub-File Number, if any:</b>	N/A

**INTERLOCUTORY APPLICATION**  
*(Ex Parte)*

**The Application the Companies states as follows:**

1. This is an application pursuant to Rule 22.01(4) of the *Rules of the Supreme Court, 1986*, seeking an interim injunction to prohibit the Respondent, Bank of Montreal ("**BMO**") or its agents, including but not limited to the accounting firm of MNP Ltd. (hereinafter the "**Private Receiver**"), from taking any further steps with respect to enforcement of BMO's Security over the remaining assets (the "**Remaining Assets**") of the Companies (as defined in the *Aide Memoire* of even date), including but not limited to any steps by BMO, its agents, or the Private Receiver to enter upon, secure, or otherwise deal with the Remaining Assets, pending further direction from this Honourable Court.

2. The Companies seek an immediate return date of 16 September 2025.

**Undertaking as to Damages:**

3. The Companies undertake to abide by any order which this Honourable Court may see fit as to an undertaking for damages caused by the granting of this interim injunction, acknowledging that they are currently insolvent and under the protection of the CCAA.

**Relief Sought:**

4. The Applicant repeats the foregoing and therefore applies pursuant to Rule 29.01.(1)(b) of the *Rules of the Supreme Court, 1986* for an Order pursuant to Rule 22.01.(4) of the *Rules of the Supreme Court, 1986*, granting the following:

(a) An interim injunction restraining, enjoining, and prohibiting the Respondent or anyone acting on their instructions with their authority, or any person having notice of the proposed Order from taking any enforcement steps as against the Remaining Assets or interfering in any way with the Remaining Assets, until such time as further directions are provided by this Honourable Court.

All of which is respectfully submitted.

DATED at St. John's, Newfoundland and Labrador, this 15<sup>th</sup> day of September 2025.

**O'KEEFE & SULLIVAN**



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**TO:**

The Supreme Court of Newfoundland and Labrador  
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Cox & Palmer  
Josh McElman (by email)  
Solicitor for the Bank of Montreal  
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**ISSUED** at St. John's, Newfoundland and Labrador, this                      day of September 2025.

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