



SUPERIOR COURT OF JUSTICE

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00701806-00CL

DATE: November 29, 2023

NO. ON LIST: 2

TITLE OF PROCEEDING:

IHDE v DAMIVA INC

BEFORE: JUSTICE CONWAY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Sanjeev Mitra	Receiver	smitra@airdberlis.com
Samantha Hans	Receiver	shans@airdberlis.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Fred Tayar	Purchaser	Fred@fredtayar.com

ENDORSEMENT OF JUSTICE CONWAY:

- [1] The Receiver brings this motion for an Approval and Vesting Order (AVO) and an Ancillary Order. The motion is unopposed.
- [2] With respect to the AVO, I am satisfied that the Transaction should be approved. The Receiver conducted the Sale Process over a two-month period. The process was appropriate and targeted specific investors and stakeholders within the feminine hygiene product industry. The Transaction was the only one that arose from that process. The *Soundair* factors have been met. The Receiver recommends the Transaction. The only real alternative is a liquidation, which would be inferior. I am approving the Transaction and signing the AVO.
- [3] The Ancillary Order is also satisfactory. Specifically, the First Report is approved, as are the fees and disbursements, the proposed distribution and the discharge of the Receiver. The order contains a sealing order for the Confidential Appendices to the First Report pending the closing of the Transaction. I am satisfied that the requested sealing order for the Confidential Appendices meets the test in *Sierra Club/Sherman Estates* and that disclosure of this information would pose a risk to the public interest in enabling stakeholders of a company in receivership to maximize the realization of assets. **I direct counsel for the Receiver to file a hard copy of the Confidential Appendices with the Commercial List office in a sealed envelope with a copy of the Ancillary Order and this Endorsement.**
- [4] Orders to go as signed by me and attached to this Endorsement. These orders are effective from today's date and are enforceable without the need for entry and filing.

A handwritten signature in blue ink, appearing to read "Conway J.", is located at the bottom left of the page.