## UNITED STATES BANKRUPTCY COURT DISTRICT OF DELAWARE

In re : Chapter 15

ARCTIC GLACIER INTERNATIONAL INC., : Case No. 12-10605 (KG)

et al.,<sup>1</sup>

(Jointly Administered)

Debtors in a Foreign Proceeding.

# APPELLEE'S COUNTER-DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Rule 8006-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the "Local Rules"), Alvarez & Marsal Canada, Inc., in its capacity as the court-appointed monitor and authorized foreign representative (the "Monitor") for the above-captioned debtors in a proceeding, commenced under Canada's *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, pending before the Court of Queen's Bench of Winnipeg Centre, by its undersigned counsel, hereby submits this counter-designation of items to be included in the record on appeal (the "Counter-Designation") with respect to the *Notice of Appeal* [Docket No. 74] filed on March 23, 2012 from this Court's *Order Granting Recognition of Foreign Main Proceeding and Certain Related Relief* [Docket No. 70]

#### **COUNTER-DESIGNATION**

In addition to the items identified in the *Appellants'* (*Class Reps.*) *Designation of Items to be Included in the Record on Appeal and Statement of Issues* [Docket No. 85], the Monitor respectfully requests that the *Notice of Filing of the Arctic Glacier DIP Facility Term Sheet* [Docket No. 39] be included in the record on appeal.

The last four digits of the United States Tax Identification Number or Canadian Business Number, as applicable, follow in parentheses: (i) Arctic Glacier California Inc. (7645); (ii) Arctic Glacier Grayling Inc. (0976); (iii) Arctic Glacier Inc. (4125); (iv) Arctic Glacier Income Fund (4736); (v) Arctic Glacier International Inc. (9353); (vi) Arctic Glacier Lansing Inc. (1769); (vii) Arctic Glacier Michigan Inc. (0975); (viii) Arctic Glacier Minnesota Inc. (2310); (ix) Arctic Glacier Nebraska Inc. (7790); (x) Arctic Glacier New York Inc. (2468); (xi) Arctic Glacier Newburgh Inc. (7431); (xii) Arctic Glacier Oregon, Inc. (4484); (xiii) Arctic Glacier Party Time Inc. (0977); (xiv) Arctic Glacier Pennsylvania Inc. (9475); (xv) Arctic Glacier Rochester Inc. (6989); (xvi) Arctic Glacier Services Inc. (6657); (xvii) Arctic Glacier Texas Inc. (3251); (xviii) Arctic Glacier Vernon Inc. (3211); (xix) Arctic Glacier Wisconsin Inc. (5835); (xx) Diamond Ice Cube Company Inc. (7146); (xxi) Diamond Newport Corporation (4811); (xxii) Glacier Ice Company, Inc. (4320); (xxiii) Ice Perfection Systems Inc. (7093); (xxiv) ICEsurance Inc. (0849); (xxv) Jack Frost Ice Service, Inc. (7210); (xxvi) Knowlton Enterprises Inc. (8701); (xxvii) Mountain Water Ice Company (2777); (xxviii) R&K Trucking, Inc. (6931); (xxix) Winkler Lucas Ice and Fuel Company (0049); (xxx) Wonderland Ice, Inc. (8662). The Debtors' executive headquarters is located at 625 Henry Avenue, Winnipeg, Manitoba, R3A 0V1, Canada.



### **NOTICE**

In accordance with Bankruptcy Rule 8006 and Local Rule 8006-1, the Monitor has caused the Counter-Designation to be served upon the appellants and has caused a copy of the item designated herein to be served upon the Clerk of the United States Bankruptcy Court for the District of Delaware. Under the circumstances, the Monitor submits that no other or further notice is required.

Dated: Wilmington, Delaware April 19, 2012 YOUNG CONAWAY STARGATT & TAYLOR, LLP

#### /s/ Matthew B. Lunn

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