



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-22-00683820-00CL DATE: 8 August 2022

NO. ON LIST: _____

TITLE OF PROCEEDING: **VOYAGER DIGITAL LTD**

BEFORE JUSTICE: **CAVANAGH**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

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ENDORSEMENT OF JUSTICE CAVANAGH:

Francine De Sousa moves on behalf of the proposed class action plaintiffs in an action commenced as court file number 22-00683699-00CP for interim relief requiring that Voyager Digital Ltd. (“VDL”) and any relevant directors and/or officers of VDL to provide the following information to counsel for De Sousa: (a) copies of any insurance policies that may be responsive to the claims of the putative class members in the class action; and (b) details of the intercorporate funding arrangements between VDL it is relevant subsidiaries, including any debts owed to VDL and the dates and amounts of transfers from VDL to its subsidiaries since May 1, 2022.

The motion is made in proceedings under Part IV of the CCAA. Alvarez & Marsal Inc. has been appointed as Information Officer of VDL in the Canadian CCAA proceedings. The motion is brought on an urgent basis.

A motion for additional relief including an order appointing counsel to act as representative counsel for all securities claimants and current shareholders of VDL impacted in the CCAA proceedings and the U.S. proceeding, is scheduled to be heard on August 11, 2022.

The background to these proceedings is set out in the Endorsement of Kimmel J. dated August 4, 2022.

The request for interim relief is opposed by VDL.

I am not satisfied that it is proper to grant the requested relief on an urgent basis. If VDL opposes production of any insurance policies, this question should be determined on a motion with proper materials and factums. The IO is engaged in obtaining information with respect to the financial status of VDL and counsel for IO advises that the parties have been cooperative to date in providing information. The IO expects to be able to provide a report before the hearing of the motion on August 11, 2022.

I am not prepared to grant the requested interim relief on this motion.