

**COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
IN BANKRUPTCY AND INSOLVENCY**

JUDICIAL CENTRE SASKATOON

APPLICANT BANK OF MONTREAL

RESPONDENTS

MORRIS INDUSTRIES LTD.	) Court Number: _____
	) Estate Number: _____
MORRIS SALES & SERVICE LTD.	) Court Number: _____
	) Estate Number: _____
CONTOUR REALTY INC.	) Court Number: _____
	) Estate Number: _____
101098672 SASKATCHEWAN LTD.	) Court Number: _____
	) Estate Number: _____
MORRIS INDUSTRIES (USA) INC.	) Court Number: _____
	) Estate Number: _____

**IN THE MATTER OF THE BANKRUPTCY OF
MORRIS INDUSTRIES LTD., MORRIS SALES & SERVICE LTD., CONTOUR REALTY INC.,
101098672 SASKATCHEWAN LTD. and MORRIS INDUSTRIES (USA) INC.**

APPLICATION FOR BANKRUPTCY ORDER


BANK OF MONTREAL (the "Applicant Creditor") hereby makes application to the Court that each of **MORRIS INDUSTRIES LTD., MORRIS SALES & SERVICE LTD., CONTOUR REALTY INC., 101098672 SASKATCHEWAN LTD. and MORRIS INDUSTRIES (USA) INC.** (collectively, the "Debtors") be adjudged bankrupt and that a Bankruptcy Order be made in respect of the Debtors, and says that:

1. The Debtors have, at some time during the twelve months preceding the filing of this application, carried on business and/or resided in the City of Saskatoon, in the Province of Saskatchewan, within the jurisdiction of this Honourable Court.
2. The materials which have been or will be filed with this Honourable Court under seal by the Monitor in Q.B. No. 1884 of 2019 (the "**CCAA Proceedings**") disclose that, after taking into account the value of the security of the Applicant Creditor which will be or has been realized in such CCAA Proceedings, neither the Applicant Creditor nor any person on the Applicant Creditor's behalf holds or will hold security on the Debtor's property or on any part thereof whose value is sufficient for the payment of all or substantially all of the unsecured indebtedness owed by the Debtors to the Applicant Creditor.

3. Taking the preceding paragraph hereof into account, each of the Debtors is and will remain indebted to the Applicant Creditor in an unsecured amount well in excess of \$1,000.00 upon conclusion of the CCAA Proceedings.
4. Each of the Debtors has, within the six months preceding the date of the filing of this Application for a Bankruptcy Order, committed, among others, the following acts of bankruptcy:
 - a. pursuant to subsection 42(1)(f) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 (the "**BIA**"), each of the Debtors has exhibited to its creditors that it is insolvent; and
 - b. pursuant to subsection 42(1)(j) of the BIA, each of the Debtors has ceased to meet its liabilities generally as they become due.
5. The Applicant Creditor intends to seek the adjournment *sine die* (to be brought back upon seven days' notice) of the application against Contour Realty Inc., pending the outcome of one or more further application(s) in the CCAA Proceedings in regard to such Debtor.
6. Alvarez & Marsal Canada Inc., of the City of Calgary, Alberta, is a person qualified to act as Licensed Insolvency Trustee of the property of each of the Debtors, has agreed to act as such, and is agreeable to the Applicant Creditor.

DATED at Saskatoon, in the Province of Saskatchewan, this 18th day of January, 2021.

W LAW LLP

Per: 
Mike Russell, solicitor for the Applicant
Creditor, Bank of Montreal

ISSUED at Saskatoon, Saskatchewan, this 19th day of January, 2021.


THE HONOURABLE MR. JUSTICE R.S. SMITH

CONTACT INFORMATION AND ADDRESS FOR SERVICE

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