



S 230255

Court No. \_\_\_\_\_  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**WAYGAR CAPITAL INC., as agent for  
NINEPOINT CANADIAN SENIOR DEBT MASTER FUND L.P.**

PETITIONER

AND

**THE VERY GOOD FOOD COMPANY INC., 1218158 B.C. LTD., 1218169  
B.C. LTD., THE CULTURED NUT INC., THE VERY GOOD BUTCHERS  
INC., LLOYD-JAMES MARKETING GROUP INC., and VGFC  
HOLDINGS LLC**

RESPONDENTS

**NOTICE OF HEARING OF PETITION**

To: All Respondents

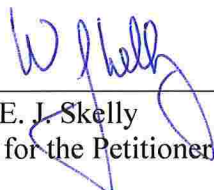
TAKE NOTICE that the Petition of **Waygar Capital Inc., as agent for Ninepoint Canadian Senior Debt Master Fund L.P.**, filed January 13, 2023, will be heard before the Honourable Justice Walker at the courthouse at 800 Smithe Street, Vancouver, B.C., on **January 16, 2023, at 9:00 a.m.**

1. **Date of hearing:** The Petition is unopposed, by consent or without notice.
2. **Duration of hearing:** The Petition is unopposed and will take no longer than **30 minutes**.
3. **Jurisdiction:** This matter is within the jurisdiction of a Judge.

**Contact information for counsel for the Petitioner:**

William E. J. Skelly  
MLT Aikins LLP  
2600 – 1066 West Hastings Street  
Vancouver, BC V6E 3X1  
Phone: (604) 608-4597  
Email: [wskelly@mltaikins.com](mailto:wskelly@mltaikins.com)

**Dated:** January 13, 2023

  
\_\_\_\_\_  
William E. J. Skelly  
Solicitor for the Petitioner

This Notice of Hearing is filed by William E. J. Skelly, of the law firm of MLT Aikins LLP, whose place of business and address for delivery is 2600 - 1066 West Hastings Street, Vancouver, British Columbia, V6E 3X1.

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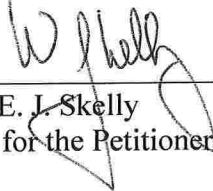
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Phone: (604) 608-4597  
Email: [wskelly@mltaikins.com](mailto:wskelly@mltaikins.com)

**Dated:** January 13, 2023

  
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William E. J. Skelly  
Solicitor for the Petitioner

This Notice of Hearing is filed by William E. J. Skelly, of the law firm of MLT Aikins LLP, whose place of business and address for delivery is 2600 - 1066 West Hastings Street, Vancouver, British Columbia, V6E 3X1.

## Vani Putti

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**From:** SC Civil-Vancouver <sc.civil\_va@BCCourts.ca>  
**Sent:** Friday, January 13, 2023 12:50 PM  
**To:** William E. J. Skelly; Vani Putti  
**Cc:** SC Civil-Vancouver  
**Subject:** RE: Insolvency Assignment: VA New WAYGAR CAPITAL INC., as agent for NINEPOINT CANADIAN SENIOR DEBT MASTER FUND L.P. v. THE VERY GOOD FOOD COMPANY INC., et al. CONF#I23112070

**Importance:** High

 External Sender

This matter has been assigned to Justice Walker, it shall proceed at 9:00am on Monday January 16<sup>th</sup>. please file your material to confirm.

### **Supreme Court Scheduling**

**phone:** 604.660.2853

**email:** [sc.civil\\_va@bcccourts.ca](mailto:sc.civil_va@bcccourts.ca)

**website:** [www.courts.gov.bc.ca](http://www.courts.gov.bc.ca)

**hours:** Mon.- Fri., 8:30 am - 4:30 pm

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**From:** No-Reply\_Request\_SCS <No-Reply\_Request\_SCS@bcccourts.ca>

**Sent:** January 12, 2023 3:29 PM

**To:** wskelly@mltaikins.com; SC Civil-Vancouver <sc.civil\_va@BCCourts.ca>

**Subject:** Insolvency Assignment: VA New WAYGAR CAPITAL INC., as agent for NINEPOINT CANADIAN SENIOR DEBT MASTER FUND L.P. v. THE VERY GOOD FOOD COMPANY INC., et al. CONF#I23112070

**Please note: if your request is urgent (needs to be dealt with within 5 business days), please inform Scheduling after submitting your request by calling 604-660-2853**

**Jurisdiction:** Judge

**Action Number (if known):** New

**Anticipated style of proceeding:** WAYGAR CAPITAL INC., as agent for NINEPOINT CANADIAN SENIOR DEBT MASTER

FUND L.P. v. THE VERY GOOD FOOD COMPANY INC., et al.

**Registry location:** Vancouver

**Hearing location:** Vancouver

**Hearing dates and time estimates**

**Anticipated hearing date(s):** January 16, 2023 - This matter can be heard at 9:00 AM over the lunch hour or at the end of the day

**Time estimate of first hearing:** 30 minutes

**Aware of or anticipate contested hearing? Comments?** The matter will not be contested.

**Type of proceeding:** BIA, Receivership

**Nature of application:** Seeking Receivership Order and SISP, pursuant to s. 243(1) of the Bankruptcy and Insolvency Act, appointing BDO Canada Limited as Receiver and Manager over the assets of The Very Good Food Company Inc., et al. This is an urgent matter as the debtor has no funds to carry on business. The debtor has 80 employees and its board (but for 1) has resigned. The CFO is resigning at the end of the month. The debtor, a publicly traded company, has issued a press release indicating that it is awaiting the appointment of a receiver. Counsel for the Debtors: Kibben Jackson of Fasken Counsel for BDO Canada Limited: Peter Reardon of Nathanson, Schachter & Thompson LLP

**Type of company/individual involved:** Public Company

**Amount of debt involved:** Approximately 8 million CAD

**Does the proceeding involve cross border filings (including potential filings):** Yes

**Degree of complexity (1-5):** 4

**Applicant Information**

**Counsel name:** William E. J. Skelly

**Email address:** wskelly@mltaikins.com

**Phone number:** 604-608-4597