

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**MOTION RECORD
(returnable January 27, 2021)**

January 21, 2021

MILLER THOMSON LLP
Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C
Tel: 905.532.6670
Fax: 905.660.0139
bsachdeva@millerthomson.com

Erin Craddock LSO #: 62828J
Tel: 416.595.8631
Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited

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CONFORTI HOLDINGS LIMITED**

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TAB 1

District: Ontario
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**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**NOTICE OF MOTION
(returnable January 27, 2021)**

Conforti Holdings Limited (“**Conforti**”) will make a motion to the court on January 27, 2021 at 10:00 a.m. by videoconference due to the COVID-19 pandemic.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

- (a) an order:
 - (i) if necessary, abridging the time for service and filing of this notice of motion and the motion record and dispensing with further service thereof;
 - (ii) approving the third report of Crowe Soberman Inc., in its capacity as proposal trustee in these proceedings (the “**Proposal Trustee**”), to be filed (the “**Third Report**”), and the conduct and activities of the Proposal Trustee as described therein;
 - (iii) extending the time to file a proposal from January 28, 2021 to March 15, 2021; and
- (b) such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

- (c) Conforti filed a notice of intention to make a proposal, dated September 28, 2020 (the “**NOI**”) under which the Proposal Trustee was appointed.
- (d) Conforti is an Ontario corporation that, as at the date of the NOI filing, operated 51 beauty salons under 10 different trade names in Southern Ontario. All but one of Conforti’s beauty salons are located inside shopping malls of varying sizes including ones such as the Eaton Centre in Toronto.
- (e) Conforti initiated NOI proceedings on account of the financial pressure arising from the COVID-19 pandemic and demands from one of its landlords. The COVID-19 pandemic, including the closure of all shopping malls for approximately four months and the otherwise reduced foot traffic in the shopping malls when they were open, has negatively impacted Conforti’s liquidity and its ability to fund business operations.
- (f) Conforti’s management is of the view that a restructuring of Conforti’s business operations through the proposal process is necessary to maximize repayment of Conforti’s obligations to its stakeholders.

Extension of Time to File a Proposal

- (g) By order dated October 26, 2020, the Honourable Madam Justice Conway extended the time for Conforti to make a proposal to its creditors from October 28, 2020 to December 14, 2020. The stay was subsequently extended by the order of the Honourable Madam Justice Dietrich, dated December 14, 2020 (the “**Stay Extensions**”).

- (h) At the time the Stay Extensions were granted, Conforti intended to use the extensions to formulate a proposal for its creditors. However, effective November 23, 2020, the Government of Ontario placed Toronto and Peel Regions in lockdown such that 15 of Conforti's salons were required to close.
- (i) On December 11, 2020, the Government of Ontario added York Region to the list of regions in lockdown, requiring Conforti to close an additional eight salons.
- (j) Unfortunately this meant that some of Conforti's largest revenue generating operations were closed during their busiest month—the December holiday season.
- (k) Thereafter, effective December 26, 2020, the Government of Ontario placed the entire Province of Ontario in lockdown. This lockdown required that Conforti close all of its salons.
- (l) As of January 14, 2021, the Government of Ontario has declared a state of emergency and issued a stay-at-home order requiring that all residents of the Province remain at home unless travelling for an essential purpose. This order will remain in effect until at least February 11, 2021. Accordingly, Conforti's salons will not reopen until, at the earliest, February 11, 2021.
- (m) These closures have significantly reduced Conforti's cash flows and, as a result, compounded its financial difficulties and complicated its efforts to develop a proposal.
- (n) Conforti is requesting a further extension of the stay of proceedings and the time by which to file a proposal from January 28, 2021 to March 15, 2021 (the 45 day period expires March 14, 2021, which is a Sunday), to enable Conforti to

continue its negotiations with its landlords and develop a proposal for its creditors.

- (o) On November 19, 2020, the Government of Canada approved a revamped rent subsidy program for commercial tenants known as the “Canada Emergency Rent Subsidy” (“**CERS**”). Under CERS, any business that has suffered a drop in revenue compared to a prior period will be eligible for a subsidy of up to 65% of their eligible expenses, including rent payments. Businesses that are forced to close due to a public health order in response to the pandemic are also eligible for an additional 25% subsidy for qualifying properties.
- (p) To date, Conforti has received \$343,830 under the CERS program and intends to apply for a further \$60,000 the week of January 25, 2021.
- (q) Conforti’s cash flow projections indicate that the company has sufficient cash flow to meet its financial obligations during the proposed extension period.
- (r) Conforti has acted, and continues to act, in good faith and with due diligence.
- (s) Conforti will likely be able to make a viable proposal to its creditors if the requested extension is granted.
- (t) No creditor will be materially prejudiced if the extension is granted.
- (u) The Proposal Trustee supports the proposed extension of time to file a proposal.
- (v) The provisions of the *Bankruptcy and Insolvency Act*, R.S.C. 1985., c. B-3, as amended, and the statutory, inherent and equitable jurisdiction of this Court;

- (w) Rules 1.04, 2.01, 2.03, 3.02, 16 and 37 of the *Rules of Civil Procedure*, R.R.O., 1990, Reg. 194, as amended, section 106 of the *Courts of Justice Act*, R.S.O. 1990, c. C. 43, as amended; and
- (x) Such further and other grounds as the lawyers may advise.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

- (a) The Third Report, together with the appendices thereto;
- (b) The Affidavit of Antonio Conforti, sworn January 21, 2021, together with the exhibits thereto; and
- (c) such further and other evidence as the lawyers may advise and this Honourable Court may permit.

January 21, 2021

MILLER THOMSON LLP
Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C
Tel: 905.532.6670
Fax: 905.660.0139
bsachdeva@millerthomson.com

Erin Craddock LSO #: 62828J
Tel: 416.595.8631
Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding commenced at Toronto

**NOTICE OF MOTION
(RETURNABLE JANUARY 27, 2021)**

MILLER THOMSON LLP

Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C

Tel: 905.532.6670
Fax: 905.660.0139
bsachdeva@millerthomson.com

Erin Craddock LSO #: 62828J

Tel: 416.595.8631
Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited

TAB 2

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**AFFIDAVIT OF ANTONIO CONFORTI
(sworn January 21, 2021)**

I, Antonio Conforti, of the City of Richmond Hill, Province of Ontario, MAKE OATH AND SAY:

1. I am the President and a director of Conforti Holdings Limited (“**Conforti**” or the “**Company**”). As such, I have knowledge of the matters to which I hereinafter depose, which knowledge is personal to me, obtained from a review of the documents referred to or, where indicated, I am advised by others in which case I believe such information to be true.

A. Overview

2. The affidavit is made in the context of Conforti’s notice of intention to make a proposal (“**NOI**”) proceedings (the “**Proposal Proceedings**”) under the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “**BIA**”), and in support of a motion by Conforti for an order:

- a. approving the third report of Crowe Soberman Inc., in its capacity as proposal trustee in these proceedings (the “**Proposal Trustee**”) and the conduct and activities of the Proposal Trustee as described therein; and
- b. extending the time for Conforti to file a proposal to its creditors up to and including March 15, 2021.

B. Background: Conforti's Business and Operations

3. Conforti is a privately-held corporation that, as at the date of Conforti's NOI filing, operated 51 beauty salons under 10 different trade names in Southern Ontario.

4. Conforti has been a family owned and operated business for more than 44 years. I started the business in 1977.

5. Conforti's salons, save and except for a location in Collingwood, Ontario, are located in rental units in shopping malls and commercial office buildings across Southern Ontario. The Collingwood property is located in an outdoor shopping plaza.

6. Conforti owns and operates its head office from a 11,000 square foot commercial property municipally known as 7755 Warden Avenue, Unit 2, Markham, Ontario (the "**Head Office**").

C. Activities Since the Proposal Extension

7. On September 28, 2020, Conforti filed the NOI and Crowe Soberman Inc. was appointed Proposal Trustee.

8. The time for Conforti to file a proposal to its creditors was extended to December 14, 2020, by Order of the Honourable Madam Justice Conway, dated October 26, 2020. The stay was subsequently extended by Order of the Honourable Madam Justice Dietrich, dated December 14, 2020 (the "**Proposal Extension Order**").

9. Since the Proposal Extension Order, Conforti has been working with the Proposal Trustee and its financial advisors to ensure that the company's operations will continue uninterrupted during the Proposal Proceedings.

10. Since the Proposal Extension Order, Conforti's activities have included:

- a. negotiating with its landlords in respect of lease payments during the Proposal Proceedings;
- b. working with the Proposal Trustee in regards to Conforti's Proposal Proceedings;
- c. negotiating with Conforti's trade suppliers to ensure the timely and ongoing supply of goods and services to the Company;
- d. attending to numerous inquiries of creditors, landlords, and other stakeholders;
- e. applying for the government of Canada's commercial rent subsidy program; and
- f. operating Conforti's remaining 42 salons before the Lockdown (defined below).

11. As noted in my affidavit, sworn October 21, 2020 ("**First Conforti Affidavit**"), on September 29 and October 8, 2020, Conforti sent a total of seventeen notices to lessor to disclaim or resiliate a lease by a commercial tenant to its landlords. Since disclaiming those leases, Conforti has reached agreements with landlords of 11 of its salon locations to continue to lease the space on a month-to-month basis.

12. On November 20, 2020, the Government of Ontario announced that Toronto and Peel Regions would be moved into lockdown pursuant to the Keeping Ontario Safe and Open Framework on November 23, 2020, for a minimum of 28 days, until December 21, 2020. As a result, Conforti was required to close fifteen of its salons in Toronto and Peel effective November 23, 2020. Attached as **Exhibit "A"** is a copy of the Province of Ontario News Release, "Ontario Taking Further Action to Stop the Spread of COVID-19", dated November 20, 2020.

13. On December 11, 2020, the Government of Ontario announced that effective December 14, 2020, York Region would be added to the list of regions in lockdown. As a result of the lockdown of York Region, Conforti was required to close an additional eight salons. Attached as

Exhibit “B” is a copy of the Province of Ontario New Release, “Ontario Moving Regions to New Levels with Stronger Public Health Measures”, dated December 11, 2020.

14. Shuttering 23 of Conforti’s salons as a result of the lockdown in Toronto, Peel and York Regions meant that some of Conforti’s largest revenue generating operations were closed during their busiest month—the December holiday season.

15. On December 21, 2020, the Government of Ontario announced that it was imposing a Province wide lockdown effective December 26, 2020 (the “**Lockdown**”). The Lockdown was effective for all of Southern Ontario until January 23, 2021. Attached as **Exhibit “C”** is a copy of the Province of Ontario News Release, “Ontario Announces Provincewide Shutdown to Stop Spread of COVID-19 and Save Lives”, dated December 21, 2020.

16. The complete closure of all of Conforti’s salons as a result of the Lockdown further compounded Conforti’s financial difficulties by significantly reducing the Company’s cash flow.

17. Moreover, as a result of the Lockdown, Conforti has had to furlough most of its 500 employees who worked at the Head Office and salons as stylists, estheticians, and front desk personnel.

18. Before the Lockdown expired, on January 12, 2021, the Government of Ontario announced that it was declaring a second provincial emergency and issuing a “stay at home order” effective January 14, 2021 (the “**Stay At Home Order**”). The Stay At Home Order requires all Ontario residents to stay home unless traveling for an essential purpose. The Stay At Home Order will remain in effect until at least February 11, 2021. Attached as **Exhibit “D”** is a copy of the Province of Ontario New Release, “Ontario Declares Second Provincial Emergency to Address COVID-19 Crisis and Save Lives”, dated January 12, 2021.

19. The Lockdown and Stay At Home Order have complicated Conforti’s efforts to develop a proposal to its creditors. The Company had intended to make a proposal during the extensions

of time granted by the Proposal Extension Orders. However, the closure of all of Conforti's salons has not only restricted the Company's cash flows but has also made it difficult to predict future cash flows because of the uncertainty associated with the Stay At Home Order and whether it will be extended and the duration of any such extension.

20. As noted in my affidavit sworn December 8, 2020, the Government of Canada announced a revamped rent subsidy for commercial tenants known as the "Canada Emergency Rent Subsidy" ("CERS") on or about October 9, 2020. To date, Conforti has received \$343,830 pursuant to the CERS program. The Company intends to apply for a further \$60,000 pursuant to the program the week of January 25, 2021.

D. Proposal Period Extension

21. Absent an extension of time, Conforti will be required to file a proposal to creditors by January 28, 2021.

22. Granting an extension of time to file a proposal up to and including March 15, 2021 (the 45 day period expires March 14, 2021, which is a Sunday), will afford Conforti the necessary time to continue to negotiate with its landlords and develop a viable proposal to its creditors.

23. A projected cash flow will be prepared by the Proposal Trustee for a period commensurate with the requested stay extension.

24. Conforti has been acting and continues to act in good faith and with due diligence in the Proposal Proceedings.

25. I do not believe that any creditor would be materially prejudiced if the extension was granted and that Conforti's stakeholders generally will be better off if the business is preserved as a going concern than they would be in a bankruptcy liquidation.

26. The Proposal Trustee has advised Conforti that it supports the motion for the relief set out in paragraph 2 of this Affidavit.

27. Accordingly, Conforti seeks an extension of the stay of proceedings and the time to file a proposal from January 28, 2021 to March 15, 2021.

SWORN BEFORE ME via video-conference with the deponent in the City of Markham, Ontario, and the Commissioner in the City of Toronto, Ontario this 21 day of January, 2021

DocuSigned by:

Erin Craddock

ST1900E7178EE412
A Commissioner for taking Affidavits (or as may be)

DocuSigned by:

Antonio Conforti

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Antonio Conforti

Note: This affidavit was commissioned via simultaneous video-conference in accordance with the *Commissioners for taking Affidavits Act*, R.S.O. 1990, CHAPTER C.17, and the Law Society of Ontario: COVID-19 Response Statement interpretation of that Act, under which (i) the identity of the deponent was confirmed from government issued identification, (ii) the commissioner administered the oath or affirmation, (iii) the deponent affixed their electronic signature to the affidavit and transmitted the full electronic affidavit, as sworn or affirmed, including exhibits to the commissioner, (iv) the deponent confirmed their electronic signature to the commissioner, (v) the commissioner affixed their electronic signature to the affidavit including exhibits.

This is **Exhibit “A”** to the
Affidavit of Antonio Conforti
Sworn on January 21, 2021.

DocuSigned by:


Erin Craddock

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A Commissioner, etc.

NEWS RELEASE

Ontario Taking Further Action to Stop the Spread of COVID-19

Province Also Doubling Financial Support for Businesses Affected by Additional Restrictions

November 20, 2020

[Office of the Premier](#)

TORONTO — In consultation with the Chief Medical Officer of Health, local medical officers of health, and other health experts, the province is moving certain public health unit regions to new levels in the [Keeping Ontario Safe and Open Framework](#), which includes moving Toronto and Peel into Lockdown. These necessary measures are being taken to limit community transmission of COVID-19 in order to keep schools open, safeguard health system capacity, and protect the province's most vulnerable populations.

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Rod Phillips, Minister of Finance, and Dr. David Williams, Chief Medical Officer of Health.

"With the numbers rising rapidly in certain regions, we have to make the tough, but necessary decisions now to protect our hospitals, long-term care and retirement homes, and every person in this province," said Premier Ford. "We cannot afford a province-wide lockdown, so we are taking preventative action today by moving Toronto and Peel into Lockdown level restrictions and other regions into higher levels of restrictions. We need to take decisive action to stop the spread of this deadly virus."

Over the past week, some regions under the Red-Control level have continued to see worsening trends in key indicators, despite having a range of public health measures and restrictions in place since early October. Based on the latest data, the government intends to move Peel Public Health and Toronto Public Health into Lockdown effective Monday, November 23, 2020 at 12:01 a.m. This action is being taken to help stop the spread of COVID-19, while prioritizing the continued opening of schools, child care centres and other key services to the fullest extent possible.

Measures under Lockdown include, but are not limited to:

- Schools, before and after school programs, and child care will remain open;
- Post-secondary schools open for virtual learning with some limited exceptions for training that can only be provided in-person, such as clinical training or training related to a trade;
- No indoor organized public events or social gatherings except with members of the same household. Individuals who live alone, including seniors, may consider having exclusive, close contact with another household;
- Outdoor organized public events or social gatherings limited to a maximum of 10 people;
- Wedding services, funeral services and religious services, rites or ceremonies where physical distancing can be maintained can have up to 10 people indoors or 10 people outdoors;
- Retail permitted to be open for curbside pick-up or delivery only, with certain exceptions such as for supermarkets, grocery stores, pharmacies, hardware stores, discount and big box retailers selling groceries, beer, wine and liquor stores, safety supply stores, and convenience stores, which will be allowed to operate at 50 per cent capacity;
- Restaurants, bars, and food and drink establishments will only be able to provide takeout, drive-through and delivery. Indoor and outdoor dining services are prohibited;
- Personal care services closed;
- Casinos, bingo halls and other gaming establishments closed; and
- Indoor sports and recreational facilities, including pools, closed with limited exceptions.

The Chief Medical Officer of Health and health experts will continue to provide advice to the government using criteria, including:

- Epidemiological indicators such as the number and rate of COVID-19 cases and test positivity;
- Health system capacity indicators including hospital and Intensive Care Unit capacity, access to ventilators and ongoing availability of personal protective equipment;

- Public health sector capacity, including the number of COVID-19 cases and contacts being reached by local public health officials within one day; and
- Ongoing testing of suspected COVID-19 cases, especially of vulnerable populations, to detect new outbreaks quickly.

"As public health indicators continue to worsen in regions across the province, particularly in hotspots like Peel and Toronto, it is clear that more needs to be done to limit community spread of COVID-19," said Minister Elliott. "As we have seen around the world, lockdowns are a difficult but necessary step to stop the spread, safeguard the key services we rely on and protect our health system capacity. With the recent positive news on the development of a vaccine, there is a real hope that we can defeat this deadly virus, but for now we all must continue to follow public health advice and strictly adhere to the restrictions in place."

Based on the latest data, the following public health unit regions will move from their current level in the framework to the following levels effective Monday, November 23, 2020 at 12:01 a.m.:

- Red-Control
 - Durham Region Health Department; and
 - Region of Waterloo Public Health and Emergency Services.
- Orange-Restrict
 - Huron Perth Public Health;
 - Simcoe Muskoka District Health Unit;
 - Southwestern Public Health; and
 - Windsor-Essex County Health Unit.
- Yellow-Protect
 - Chatham-Kent Public Health;
 - Eastern Ontario Health Unit;
 - Grey Bruce Health Unit;
 - Kingston, Frontenac and Lennox & Addington Public Health;
 - Peterborough Public Health; and
 - Thunder Bay District Health Unit.

Please visit [Ontario.ca/covidresponse](https://ontario.ca/covidresponse) for the full list of public health region classifications.

Trends in public health data will continue to be reviewed weekly to determine if public health units should stay where they are or be moved into a higher level. Public health units will stay in their level for a minimum of 28 days, or two COVID-19 incubation periods, at which time, the government will assess the impact of public health measures to determine if the public health unit should stay where they are or be moved to a different level. The Ministry of Health will continue to communicate regularly with local medical officers of health on local context and conditions to help inform the classification of their public health unit region.

For long-term care homes, [visitor restrictions](#) apply to those homes in the public health units that are in the Orange-Restrict level or higher. To further protect the health and safety of those in long-term care homes, staff, essential caregivers and support workers who provide direct care to residents in those regions will be tested more frequently for COVID-19, moving from bi-weekly tests to weekly as of November 23, 2020. In addition, support workers who provide direct care and caregivers in those regions will be asked to provide proof of a negative COVID-19 test result in the past week and verbally attest that they have not subsequently tested positive.

For retirement homes, homes in public health regions that are in Red-Control or higher will be in high alert with visitor restrictions as outlined in the Retirement Homes COVID-19 Visitor Policy. Homes will continue to be notified of their alert status by the Retirement Homes Regulatory Authority.

"Advising regions to move into a lockdown is not a decision we take lightly, but it is one that is needed to ensure the safety of the people of Peel and Toronto," said Dr. Williams. "Now more than ever, it is critical that all Ontarians continue to follow public health advice to help stop the spread of the virus. Everyone has a role to play to protect each other. We are interdependent and nothing can be done without the commitment of each individual, family and community."

To further support public health regions, the province is making additional enforcement mechanisms available to local medical officers of health who have applied additional measures based on their local conditions and needs. The government is amending Ontario Regulation 950 under the *Provincial Offences Act*, allowing for a ticket to be issued for any contravention of a COVID-19 specific communicable disease class order issued by a medical officer of health. The government will also ask the Chief Justice of the Ontario Court of Justice to establish a set fine to be attached to any ticket issued for violating a section 22 order relating to COVID-19 made by a local medical officer of health.

"We are asking Ontarians to familiarize themselves with the restrictions in place, follow the rules and public health guidance, and support enforcement officers who are working to help prevent the further spread of COVID-19," said Solicitor General Sylvia Jones. "Our government will continue to work with law enforcement to ensure they have the tools they need to promote public safety and take the enforcement actions needed to prevent unsafe behaviour."

Additional Supports Available for Businesses Affected by COVID-19 Public Health Measures

The Ontario government is now providing \$600 million in relief to support eligible businesses required to close or significantly restrict services due to enhanced public health measures, doubling its initial commitment of \$300 million made in the 2020 Budget, Ontario's Action Plan: Protect, Support Recover.

Businesses can apply online for temporary property tax and energy cost rebate grants from the province, via an easy-to-use one-window portal. The rebates will cover the length of time that a business is required to temporarily close or significantly restrict services as a result of being located in an area categorized as Red-Control or Lockdown, or previously categorized as modified Stage 2 public health restrictions. Most businesses can expect to receive their rebate payments within a few weeks of submitting a complete application. A detailed list of eligible businesses, as well as instructions for applying, can be found at Ontario.ca/covidsupport.

The federal and provincial governments have been working collaboratively together to deliver benefits and supports to individuals, families and businesses since the onset of COVID-19. Consistent with this, Ontario will work with the federal government to ensure these supports for businesses in COVID-19 hotspots are available in the most straightforward and seamless way possible by integrating these rebates with the federal Canada Emergency Rent Subsidy (CERS) program.

"We will double the funding we have made available to support employers and jobs affected by the necessary public health measures we are taking to protect people during the second wave," said Minister Phillips. "All of us know a small business owner struggling due to COVID-19. These necessary public health measures we have outlined today will create new challenges — but as we committed in Ontario's Action Plan: Protect, Support, Recover, we will continue to be there to protect jobs and support employers."

Quick Facts

- If you have questions about what will be open or impacts to your business or employment, call the Stop the Spread Business Information Line at 1-888-444-3659.
- Find out what level and which [regional public measures](#) are in place for your area.
- Municipalities and local medical officers of health may have additional restrictions or targeted requirements in their region, on top of the public health measures required at their specific level.
- The Ontario government has developed a \$2.8 billion COVID-19 fall preparedness plan, [Keeping Ontarians Safe: Preparing for Future Waves of COVID-19](#), to ensure the province's health care, long-term care and education systems are prepared for the immediate challenges of the fall, including a second wave of COVID-19 and the flu season.
- Get tested if you have [symptoms compatible with COVID-19](#), or if you have been advised of exposure by your local public health unit or through the COVID Alert app. Visit Ontario.ca/covidtest to find the nearest testing location.
- To find the right supports, visit [COVID-19: Support for People](#), which has information about the many available and free mental health services and supports.
- To stay safe you can download the COVID Alert App free from the Apple and Google Play app stores.

Additional Resources

- [Ontario's Action Plan: Protect, Support, Recover](#)
- [Ontario Updating COVID-19 Response Framework to Help Stop the Spread of COVID-19](#)
- [Ontario's Action Plan: Responding to COVID-19](#)
- [Property Tax and Energy Cost Rebates](#)
- Visit Ontario's [website](#) to learn more about how the province continues to protect the people of Ontario from COVID-19.

Related Topics

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Media Contacts

Ivana Yelich

Premier's Office

Ivana.Yelich@ontario.ca

Alexandra Hilkene

Minister Elliott's Office

Alexandra.Hilkene@ontario.ca

This is **Exhibit “B”** to the
Affidavit of Antonio Conforti
Sworn on January 21, 2021.

DocuSigned by:

Erin Craddock

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A Commissioner, etc.

NEWS RELEASE

Ontario Moving Regions to New Levels with Stronger Public Health Measures

Action is being taken to stop the spread of COVID-19 and protect vulnerable people

December 11, 2020

[Health](#)

TORONTO — The Ontario government, in consultation with the Chief Medical Officer of Health, local medical officers of health, and other health experts, is moving seven public health regions to new levels with stronger public health measures, including Windsor-Essex County Health Unit and York Region Public Health moving into Grey-Lockdown. These steps are being taken to stop the spread of COVID-19 in order to keep schools open in the regions where in-class learning is permitted, safeguard health system capacity, and protect the province's most vulnerable populations. The regional levels and specific public health measures are set out in the [Keeping Ontario Safe and Open Framework](#).

"Moving a region into Grey-Lockdown is not an easy decision, but it is one we needed to make in order to help stop the spread of the virus and safeguard the key services we rely on," said Christine Elliott, Deputy Premier and Minister of Health. "As we enter the holiday season and as the province prepares to receive its first shipment of COVID-19 vaccines, it remains crucial for all Ontarians to continue adhering to public health advice and workplace safety measures to reduce the spread of the virus and keep each other safe."

Based on the latest data, the following public health regions will move from their current level in the framework to the following levels effective Monday, December 14, 2020 at 12:01 a.m.:

- Grey-Lockdown
 - Windsor-Essex County Health Unit; and
 - York Region Public Health.
- Red-Control
 - Middlesex-London Health Unit;
 - Simcoe Muskoka District Health Unit; and
 - Wellington-Dufferin-Guelph Public Health.
- Orange-Restrict
 - Eastern Ontario Health Unit.
- Yellow-Protect
 - Leeds, Grenville and Lanark District Health Unit.

All other public health regions will remain at their current level. Please visit [Ontario.ca/covidresponse](#) for the full list of public health region classifications.

"Over the last week, public health indicators in the York and Windsor regions have continued to trend in the wrong direction and it is evident additional measures are needed to help limit the spread of the virus," said Dr. David Williams, Chief Medical Officer of Health. "By making this difficult but necessary decision we can help to ensure that hospitals in these regions can work to provide patients with the care they need when they need it, including the performing of scheduled surgeries and other important procedures."

For long-term care homes, [visitor restrictions](#) apply to those homes in the public health unit regions that are in the Orange-Restrict level or higher. In addition, long-term care homes must implement recently [enhanced testing requirements](#).

Trends in public health data will continue to be reviewed weekly to determine if public health units should stay where they are or be moved into a different level. Public health units will stay in their level for a minimum of 28 days, or two COVID-19 incubation periods, at which time, the government will assess the impact of public health measures to determine if the public

health unit should stay where they are or be moved to a different level. The government and the Chief Medical Officer of Health will continue to consult regularly with local medical officers of health on local context and conditions to help inform the classification of their public health unit region.

As we approach the holiday season, the government is urging all Ontarians to continue to follow all [required public health measures and public health advice](#). This includes the following:

- Stay home if you have COVID-19 symptoms, even if they are mild;
- Maintain two metres of physical distancing from anyone outside your household;
- Avoid social gatherings and limit close contacts to your household or the people you live with;
- Adhere to the restrictions in your region on public and private gatherings;
- Wear a face covering indoors and wear one outdoors if physical distancing may not be maintained or if wearing one is required;
- Wash your hands thoroughly and regularly;
- Cover your cough;
- Get tested if you have symptoms compatible with COVID-19, or if you've been advised of exposure by your local public health unit or through the COVID Alert mobile app;
- Individuals and families from higher transmission regions should avoid travel to lower transmission regions, except for essential reasons; and
- Download the [COVID Alert mobile app](#).

No matter where you live in the province, the [safest way](#) to spend the holidays this year is by only celebrating in person with the people you live with and celebrating virtually with everyone else. People who live alone may have exclusive close contact with one additional household to help prevent feelings of isolation and mitigate against negative mental health impacts.

The Ontario government is now providing \$600 million in property tax and energy cost rebates to support eligible businesses required to close or significantly restrict services due to enhanced public health measures, doubling its initial commitment of \$300 million made in the 2020 Budget, Ontario's Action Plan: Protect, Support, Recover. To apply for this funding please visit [Businesses: Get help with COVID-19 costs](#).

Quick Facts

- Find out what level and which [regional public measures](#) are in place for your area.
- Learn how to celebrate the holidays safely with the people you live with by visiting [Ontario.ca/celebratesafely](#).
- Get tested if you have [symptoms compatible with COVID-19](#), or if you have been advised of exposure by your local public health unit or through the COVID Alert app. Visit [Ontario.ca/covidtest](#) to find the nearest testing location.
- To find the right supports, visit [COVID-19: Support for People](#), which has information about the many available and free mental health services and supports.
- If you have questions about what will be open or impacts to your business or employment, call the Stop the Spread Business Information Line at 1-888-444-3659.
- To stay safe, you can download the COVID Alert App free from the Apple and Google Play app stores.

Additional Resources

- [Celebrate the Holiday Season Safely](#)
- [Ontario Moving Three Regions to New Levels in COVID-19 Response Framework](#)
- [Ontario's Action Plan: Protect, Support, Recover](#)
- [Property Tax and Energy Cost Rebates](#)
- Visit Ontario's [website](#) to learn more about how the province continues to protect the people of Ontario from COVID-19.

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Media Contacts

Alexandra Hilkene

Minister Elliott's Office

Alexandra.Hilkene@ontario.ca

David Jensen

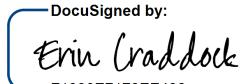
Communications Division

media.moh@ontario.ca

[416-314-6197](tel:416-314-6197)

This is **Exhibit “C”** to the
Affidavit of Antonio Conforti
Sworn on January 21, 2021.

DocuSigned by:


Erin Craddock

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A Commissioner, etc.

NEWS RELEASE

Ontario Announces Provincewide Shutdown to Stop Spread of COVID-19 and Save Lives

Government Providing Grants of up to \$20,000 to Small Businesses Impacted by New Public Health Measures

December 21, 2020

[Office of the Premier](#)

TORONTO — As COVID-19 cases continue to rise at an alarming rate, the Ontario government, in consultation with the Chief Medical Officer of Health and other health experts, is imposing a [Provincewide Shutdown](#). Additional restrictions will be put into place and reinforce that Ontarians should stay at home as much as possible to minimize transmission of the virus and prevent hospitals from becoming overwhelmed. The Provincewide Shutdown will go into effect as of Saturday, December 26, 2020, at 12:01 a.m.

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Stephen Lecce, Minister of Education, Dr. David Williams, Chief Medical Officer of Health, and Dr. Naveed Mohammad, President and CEO, William Osler Health System.

"The number of daily cases continue to rise putting our hospitals and long-term care homes at risk," said Premier Ford. "We need to stop the spread of this deadly virus. That's why, on the advice of Dr. Williams and other health experts, we are taking the difficult but necessary decision to shutdown the province and ask people to stay home. Nothing is more important right now than the health and safety of all Ontarians."

In response to these exceptional circumstances, the Provincewide Shutdown would put in place time-limited public health and workplace safety measures similar to those in other jurisdictions. It would help stop the trend of high COVID-19 transmission in communities, preserve health system capacity, safeguard vulnerable populations and those who care for them, and save lives. Measures include, but are not limited to:

- Restricting indoor organized public events and social gatherings, except with members of the same household (the people you live with). Individuals who live alone may consider having exclusive close contact with one other household.
- Prohibiting in-person shopping in most retail settings - curbside pickup and delivery can continue. Discount and big box retailers selling groceries will be limited to 25 per cent capacity for in-store shopping. Supermarkets, grocery stores and similar stores that primarily sell food, as well as pharmacies, will continue to operate at 50 per cent capacity for in-store shopping.
- Restricting indoor access to shopping malls - patrons may only go to a designated indoor pickup area (by appointment only), essential retail stores that are permitted to be open (e.g. pharmacy, grocery store), or, subject to physical distancing and face covering requirements, to the food court for takeout purchases. Shopping malls may also establish outdoor designated pickup areas.
- Prohibiting indoor and outdoor dining. Restaurants, bars and other food or drink establishments will be permitted to operate by take out, drive-through, and delivery only.

On the advice of the Chief Medical Officer of Health, all Ontarians are advised to stay home as much as possible with trips outside the home limited to necessities such as food, medication, medical appointments, or supporting vulnerable community members. Employers in all industries should make every effort to allow employees to work from home.

The current [COVID-19 Response Framework](#) will be paused when the Provincewide Shutdown comes into effect. The impacts of these time-limited measures will be evaluated throughout the 14 days in Northern Ontario and 28 days in Southern Ontario to determine if it is safe to lift any restrictions or if they need to be extended. The Chief Medical Officer of Health will assess and apply lessons learned thus far to the COVID-19 Response Framework to ensure appropriate and effective measures are in place to protect the health of Ontarians and enable economic recovery after the Provincewide Shutdown ends. This will include an assessment of how a revised approach for the safe reopening of retail may be operationalized, according to the latest available evidence.

"This was not an easy decision before the holidays, but we have reached a tipping point," said Minister Elliott. "We continue to see sharp increases in hospitalizations and occupancy in intensive care units is reaching concerning levels. Urgent action must be taken to prevent our health care system from becoming overwhelmed. By implementing a Provincewide Shutdown, we can work to stop the virus in its tracks, safeguard hospital capacity, and save lives."

The government is also providing \$12.5 million to implement a High Priority Communities Strategy to contain the virus in high-risk communities. The strategy will take a tailored, community-based approach to fund community agencies in 15 priority communities in the York, Peel, Durham, Ottawa, and Toronto regions. The funding will also allow for the hiring of community ambassadors to make people aware of available services and assistance, for coordination of increased testing opportunities and for the arrangement of wraparound supports for those who are COVID-positive. Additional funding of \$42 million will also be available to establish isolation centres.

The province will work with our local municipal partners to establish new isolation centres to help those who may need to isolate following testing.

"We continue to see the number of cases in the province grow and the trends in public health indicators worsen. Additional measures are needed provincewide in order to interrupt this concerning growth," said Dr. Williams. "We must work together to enable everyone to follow these new and time-limited restrictions and protect our health system and our communities."

The government is working to limit the transmission of COVID-19 in workplaces by supporting essential businesses in doing whatever is necessary to keep workers safe. The Ministry of Labour, Training and Skills Development is leading a multi-ministry COVID-19 Safety Team. The team will partner with local authorities to carry out additional enforcement blitzes in sectors where they are needed most.

New School Protocols

While transmission in schools remains low, all publicly funded and private elementary and secondary schools are to move to teacher-led remote learning when students return from the winter break on January 4, 2021. This action is being taken in support of the Government's broader efforts to limit the spread of COVID-19.

Schools located in the following Public Health Unit regions can resume in-person instruction on January 11, 2021 for both elementary and secondary students:

- The District of Algoma Health Unit
- North Bay Parry Sound District Health Unit
- Northwestern Health Unit
- Porcupine Health Unit
- Sudbury and District Health Unit
- Thunder Bay District Health Unit
- Timiskaming Health Unit

For schools in all other Public Health Unit regions, elementary school students are planned to be able to return to in-person learning on January 11, 2021, and secondary school students will continue learning remotely until January 25, 2021, at which point they may resume in-person learning. During this period, child care centres, authorized recreational and skill building programs and home-based child care services will remain open. From January 4-8, 2021, when elementary students move to remote learning, before and after school programs will be closed and emergency child care for health care and frontline workers will be provided. As part of the government's efforts to protect the most vulnerable, boards will be required to make provisions for continued in-person support for students with special education needs who cannot be accommodated through remote learning for whom remote learning is challenging.

"While our schools are not a source of rising community transmission, we can play an important part of the solution to save lives from COVID-19," said Minister Lecce. "During this period, students will pivot to teacher-led online learning, with child care provided for our frontline workers. We are taking proactive and preventative action to protect schools following the holiday break to ensure kids can continue in-class learning — something we believe is so important — for the remainder of the year."

The New Ontario Small Business Support Grant

The government recognizes that small businesses impacted by these necessary public health measures will require additional support so they can continue serving their communities and employing people in Ontario once the COVID-19 pandemic is over. That is why the government is announcing the new *Ontario Small Business Support Grant*, which will provide a minimum of \$10,000 and up to \$20,000 to eligible small business owners to help navigate this challenging period.

"Ontario's business owners have shown remarkable resolve and ingenuity throughout the pandemic. They know better than anyone what they need to come through this very difficult time, so they can continue to serve and employ people in their communities," said Rod Phillips, Minister of Finance. "The new *Ontario Small Business Support Grant* will provide significant financial support to eligible small business owners in addition to the other supports made available to our small business community."

Small businesses required to close or restrict services under the Provincewide Shutdown will be able to apply for this one-time grant. Each small business will be able to use the support in whatever way makes the most sense for their individual business. For example, some businesses will need support paying employee wages or rent, while others will need support maintaining their inventory.

Eligible small businesses include those that:

- Are required to close or significantly restrict services subject to the Provincewide Shutdown effective 12:01 a.m. on December 26, 2020;
- Have less than 100 employees at the enterprise level; and
- Have experienced a minimum of 20 per cent revenue decline in April 2020 compared to April 2019.

Starting at \$10,000 for all eligible businesses, the grant will provide businesses with dollar for dollar funding to a maximum of \$20,000 to help cover decreased revenue expected as a result of the Provincewide Shutdown. The business must demonstrate they experienced a revenue decline of at least 20 per cent when comparing monthly revenue in April 2019 and April 2020. This time period was selected because it reflects the impact of the public health measures in spring 2020, and as such provides a representation of the possible impact of these latest measures on small businesses.

Essential businesses that are allowed to remain open will not be eligible for this grant. More information about the *Ontario Small Business Support Grant* is [available here](#). Further details, including how to apply, will be announced in January 2021.

Businesses that are impacted by the Provincewide Shutdown will also be eligible for the property tax and energy cost rebates. In November, the government launched a program to provide rebates to offset fixed costs such as property tax and energy bills for businesses that are required to shut down or significantly restrict services due to provincial public health measures. These rebates will continue to be available for businesses impacted by the Provincewide Shutdown and earlier restrictions. Business can apply for the rebates [here](#).

Quick Facts

- Currently, hospitalizations for COVID-19 have increased by 74 per cent over the last four weeks and are more than 15 times higher than they were at the beginning of September. Intensive care unit (ICU) occupancy for COVID-19 has more than doubled over the last four weeks and is 20 times higher than at the beginning of September.
- Ontario currently has 915 COVID-19 patients requiring acute care, 265 patients in ICU, with 152 on a ventilator.
- Based on the latest modelling data, cases across the province are continuing to grow and the number of people requiring an intensive care bed is projected to rise well above 300 people within the next 10 days.
- Some jurisdictions around the world, including those in Canada have implemented similar time-limited measures to respond to a dramatic resurgence in cases. Based on their experiences, measures of four to six weeks are expected to interrupt transmission of COVID-19 in Ontario.
- Municipalities and local medical officers of health may have additional restrictions or targeted requirements in their region.
- Get tested if you have symptoms compatible with COVID-19, or if you have been advised of exposure by your local public health unit or through the COVID Alert App. Visit Ontario.ca/covidtest to find the nearest testing location.
- The Ontario Small Business Support Grant is part of the Province's more than \$13.5 billion in support for people and jobs outlined in the 2020 Budget, Ontario's Action Plan: Protect, Support, Recover. It is also in addition to \$4.8 billion to address critical areas to support a strong long-term recovery that helps workers, employers and communities get back on their feet, while building the foundation for recovery and growth.
- To find the right supports, visit COVID-19: Support for People, which has information about the many available and free mental health services and supports.
- To stay safe you can download the COVID Alert App free from the Apple and Google Play app stores.
- To date, as part of the province's COVID-19 immunization program, over 3,000 frontline health care workers have been vaccinated.
- Schools continue to be safe, and according to data reported by school boards, as of Friday, December 18: approximately 99.64 per cent of students in Ontario have not reported a case of COVID-19; approximately 92 per cent of schools across

the province have had either no cases or one case reported within the last 14 days; and approximately 80 per cent of schools do not have an case of COVID-19.

Additional Resources

- [Ontario Supporting High Priority Communities](#)
 - [Ontario Building On Supports for Employers During COVID-19](#)
 - The [Digital Main Street program](#) helps main street businesses build their online presence and reach more customers.
 - [Property Tax and Energy Cost Rebates](#)
 - Visit Ontario's [website](#) to learn more about how the province continues to protect the people of Ontario from COVID-19.
 - [COVID-19: provincewide shutdown](#)
 - **If you have questions about what will be open or impacts to your business or employment, call the Stop the Spread Business Information Line at 1-888-444-3659.**
-

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Media Contacts

Ivana Yelich

Premier's Office

Ivana.Yelich@ontario.ca

Alexandra Hilkene

Minister Elliott's Office

Alexandra.Hilkene@ontario.ca

This is **Exhibit “D”** to the
Affidavit of Antonio Conforti
Sworn on January 21, 2021.

DocuSigned by:

Erin Craddock

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A Commissioner, etc.

NEWS RELEASE

Ontario Declares Second Provincial Emergency to Address COVID-19 Crisis and Save Lives

Province Issues Stay-at-Home Order and Introduces Enhanced Enforcement Measures to Reduce Mobility

January 12, 2021

[Office of the Premier](#)

TORONTO — In response to a doubling in COVID-19 cases over the past two weeks, the real and looming threat of the collapse of the province's hospital system and alarming risks posed to long-term care homes as a result of high COVID-19 transmission rates, the Ontario government, in consultation with the Chief Medical Officer of Health and other health experts, is immediately declaring a second [provincial emergency](#) under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act* (EMPCA).

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Solicitor General Sylvia Jones, Dr. David Williams, Chief Medical Officer of Health, and Dr. Adalsteinn (Steini) Brown, Co-Chair of the Ontario COVID-19 Science Advisory Table.

"The latest modelling data shows that Ontario is in a crisis and, with the current trends, our hospital ICUs will be overwhelmed in a few short weeks with unthinkable consequences," said Premier Ford. "That's why we are taking urgent and decisive action, which includes declaring a provincial emergency and imposing a stay-at-home-order. We need people to only go out only for essential trips to pick up groceries or go to medical appointments. By doing the right thing and staying home, you can stay safe and save lives."

Effective Thursday, January 14, 2021 at 12:01 a.m., the government is issuing a stay-at-home order requiring everyone to remain at home with exceptions for permitted purposes or activities, such as going to the grocery store or pharmacy, accessing health care services, for exercise or for work where the work cannot be done remotely. This order and other new and existing public health restrictions are aimed at limiting people's mobility and reducing the number of daily contacts with those outside an immediate household. In addition to limiting outings for these purposes, all businesses must ensure that any employee who can work from home, does work from home.

These new public health measures will help stop the spread of COVID-19 by reducing concerning levels of mobility as the province continues its vaccine rollout and ramps up to mass vaccination when the federal government is able to provide the necessary supply to do so.

Additional Public Health Restrictions

Since the implementation of the Provincewide Shutdown over two weeks ago, the [latest modelling trends](#) in key public health indicators have continued to worsen, forecasting an overwhelming of the health system unless drastic action is taken. Escalating case counts have led to increasing hospitalization rates and intensive care unit (ICU) occupancy which has resulted in cancellations of scheduled surgeries and procedures.

Provincial modelling shows growth in COVID-19 cases has accelerated, leading to increased hospitalization rates and ICU occupancy. ICU occupancy by COVID-19 patients is now over 400 beds and is projected to be as high as 1,000 beds by early February which has the potential to overwhelm Ontario's hospitals. The number of COVID-19-related deaths continues to rise and is expected to double from 50 to 100 deaths per day between now and the end of February. Notably, data shows that mobility and contacts between people have not decreased with the current restrictions. A new variant of COVID-19 emerged in November. If community transmission of this variant occurs, Ontario could experience much higher case counts, ICU occupancy and mortality.

In response to the alarming and exceptional circumstances at hand, and to further interrupt the deadly trend of transmission in Ontario communities, hospitals, and long-term care homes, the following additional public health measures will take effect January 13, 2021 at 12:01 a.m.:

- Outdoor organized public gatherings and social gatherings are further restricted to a limit of five people with limited exceptions. This is consistent with the rules during the lockdown during the first wave of COVID-19 in spring 2020 and will allow individuals and families to enjoy time outdoors safely.
- Individuals are required to wear a mask or face covering in the indoor areas of businesses or organizations that are open. Wearing a mask or face covering is now recommended outdoors when you can't physically distance more than two metres.
- All non-essential retail stores, including hardware stores, alcohol retailers, and those offering curbside pickup or delivery, must open no earlier than 7 a.m. and close no later than 8 p.m. The restricted hours of operation do not apply to stores that primarily sell food, pharmacies, gas stations, convenience stores, and restaurants for takeout or delivery.
- Non-essential construction is further restricted, including below-grade construction, exempting survey.

These measures will come into effect between Tuesday January 12, 2021 and Thursday, January 14, 2021, including the provincial declaration of emergency under the EMCPA, orders under that Act, and amendments to regulations under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

"Despite our best efforts, COVID-19 is continuing to spread in our communities, our hospitals, our long-term care homes, and our workplaces. We are continuing to see concerning trends across the province, including a tragic number of deaths," said Christine Elliott, Deputy Premier and Minister of Health. "We have made great strides in vaccinating tens of thousands of Ontarians, and we can't let these efforts go to waste. Urgent action is required to break this deadly trend of transmission, ensure people stay home, and save lives."

To help quickly identify and isolate cases of COVID-19 in workplaces and service providers permitted to remain open such as long-term care homes and schools, the province will provide up to 300,000 COVID-19 tests per week to support key sectors such as manufacturing, warehousing, supply chain and food processing, as well as additional tests for schools and long-term care homes. This volume of rapid tests would support antigen screening for up to 150,000 workers per week over the next 4-5 months in Ontario's most critical workplaces. The province is expecting to receive 12 million Panbio tests from the federal government over the next several months and continues to pursue opportunities to purchase additional rapid tests.

"The trends in key public health indicators are continuing to deteriorate, and further action is urgently required to save lives," said Dr. David Williams, Chief Medical Officer of Health. "By strictly adhering to all public health and workplace safety measures, we can reduce the transmission of COVID-19 and keep our loved ones and our communities safe. It will take the collective efforts of us all to defeat this virus."

The government knows that in order to keep Ontarians safe, it is important that they are not forced to leave their homes during the new state of emergency. Ontario is exploring all options available to put a temporary residential evictions moratorium in place, and will have more to say in the coming days.

The additional public health restrictions introduced expand on the existing measures put in place to keep Ontarians safe and healthy. On January 7, the government extended the shutdown for Northern Ontario to at least January 23, 2021 to align with the rest of the province. These time-limited measures will be evaluated after 14 days to determine if any restrictions need to be extended or lifted.

New Enforcement Measures

The province will provide authority to all provincial offences officers, including the Ontario Provincial Police, local police forces, bylaw officers, and provincial workplace inspectors to issue tickets to individuals who do not comply with the stay-at-home-order, or those not wearing a mask or face covering indoors in places open to the public, subject to limited exceptions, as well as retail operators and companies who do not enforce requirements under orders under the *Reopening Ontario (A Flexible Response to COVID-19) Act (ROA)* or EMCPA. Those who decide not to abide by orders will be subject to a set fine and/or prosecution under both the ROA and EMCPA as applicable.

In addition, all provincial offences officers will have the authority to temporarily close a premise and disperse individuals who are in contravention of gathering limits an order and will be able to disperse people who are gathering, regardless whether a premise has been closed or remains open such as a park.

"Strong, new measures will be enforced to stop the spread of COVID-19," said Solicitor General Sylvia Jones. "We are taking extraordinary action to provide law enforcement officers with the tools and support they need to protect the health and wellbeing of Ontarians."

Schools and Child Care Centres

Based on the advice of the Chief Medical Officer of Health, schools in the following public health units (PHUs) will not return to in-person instruction until February 10, 2021:

- Windsor-Essex
- Peel Region
- Toronto
- York
- Hamilton

By January 20, 2021, the Chief Medical Officer of Health will advise the Ministry of Education on which public health units (PHUs) will be permitted to resume in-person instruction, based on the most up-to-date data and modelling. Before- and after-school programs can be offered when in-person instruction resumes. Schools in northern PHUs will continue to remain open.

To continue to keep students, staff and communities safe, the following new health and safety measures will be put in place for in-person learning:

- Masking for Grade 1-3 and requirements for mask wearing outdoors;
- Enhanced screening protocols; and
- Expanded targeted testing.

The government will also implement new health and safety measures in Ontario child care settings, such as enhanced screening to align with school requirements, voluntary participation in targeted testing and additional infection prevention and control measures to align with schools. These enhancements are in addition to the existing health and safety measures already being implemented in child care settings across the province.

Child care centres for non-school aged children will remain open, and emergency child care for school-aged children will end in approved PHU regions on January 22, 2021 as these elementary schools return to in-person learning. During this extended period of online learning, in areas where in-person elementary learning is suspended, emergency child care will continue for eligible families in regions subject to school closures, as identified by the Chief Medical Officer of Health.

"At the heart of our continued efforts to protect against the spread of COVID-19 in our communities is a firm commitment to return kids to school safely," said Education Minister Stephen Lecce. "Protecting our students, staff and their families is our top priority, and these additional measures build on our comprehensive plan to reopen schools and keep young children in child care safe."

Workplace Safety

The Ministry of Labour, Training and Skills Development is taking additional steps to protect workers with the launch of the "Stay Safe All Day" campaign, focusing workplace inspections in areas of high transmission, including break rooms, and providing new educational materials to employers to

promote safe behaviour before, during and after work.

Evidence gathered from COVID-19 related workplace inspections to date shows the vast majority of employers and workers are following COVID-19 safety requirements when working. However, when in a break room, a vehicle or not on the clock, there is a tendency to forget about the importance of wearing masks, maintaining physical distance and hand hygiene.

As part of the "Stay Safe All Day" campaign, inspectors will use a data-driven approach to focus on workplaces with reported COVID-19 outbreaks, manufacturing businesses, warehouses, distribution centres, food processing operations, construction projects and publicly accessible workplaces deemed essential, such as grocery stores. The Ministry is also using a new data-sharing program, in conjunction with the Ministry of Long-Term Care and the Retirement Regulatory Authority, to focus onsite inspections of long-term-care homes and retirement homes.

"We know the majority of businesses are operating safely and responsibly to protect their workers and customers. But as COVID-19 cases continue to rise, we all need to step up and take additional measures to stop the spread," said Monte McNaughton, Minister of Labour, Training and Skills Development. "This includes increasing our inspections to look at everything workers do both while on the job and throughout the workday."

In the unfortunate event that an employee becomes infected with COVID-19, they may be entitled to federally funded paid sick leave of up to \$500 a week for two weeks. Workers can also access Canada's Recovery Caregiver Benefit of up to \$500 per week for up to 26 weeks if they are unable to work because they must care for their child under 12 years old or a family member who needs supervised care.

Over the summer, the government enacted a new regulatory amendment that put non-unionized employees on Infectious Disease Emergency Leave during the COVID-19 outbreak any time their hours of work are temporarily reduced by their employer due to COVID-19, ensuring businesses aren't forced to terminate employees after their ESA temporary layoff periods have expired. As part of the Safe Restart Agreement, the federal government is funding a temporary income support program that allows workers to take up to 10 days of leave related to COVID-19, preventing the risk of further spread in the workplace and allowing workers to focus on their health.

Quick Facts

- The Government of Ontario [declared its first provincial emergency](#) in response to COVID-19 on March 17, 2020 which remained in effect until July 24, 2020 when the ROA came into force.
 - An emergency declaration pursuant to s. 7.0.1 is terminated 14 days after being made and may be extended for up to a further 14 days by the Lieutenant Governor in Council. Thereafter, extensions require approval of the Legislature, which can extend the declared provincial emergency for additional periods of up to 28 days. Orders made during the declaration of emergency pursuant s. 7.0.2 (4) will automatically terminate after 14 days unless they are extended for additional periods of up to 14 days, while orders pursuant to s. 7.1 can be for a period of up to 90 days and renewed for additional periods of up to 90 days.
 - The orders currently in force under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 (ROA) remain in effect until January 20, 2021. Under the ROA, orders can be extended for up to 30 days at a time, and the government must continue to report on all order extensions to the Select Committee on Emergency Management Oversight.
 - A full list of emergency orders under the EMPCA as well as orders under the ROA can be found on the [e-Laws website](#) and at [Ontario.ca/alert](#).
 - As of January 10, 2021, there have been 215,782 reported COVID-19 cases and 4,983 related deaths in Ontario.
 - Ontario has implemented the largest immunization plan in its history and to date, a total of over [130,000 doses](#) have been administered provincewide.
 - Building on the efforts of the targeted testing in Phase 1, the Ministry of Education and the Ministry of Health will work together with Ontario Health, PHUs and school boards to expand access to COVID-19 testing.
-

Additional Resources

- [Ontario Continues to Support Employers and Workers during COVID-19](#)
 - [Enhancing Public Health and Workplace Safety Measures in the Provincewide Shutdown](#)
 - Visit Ontario's COVID-19 vaccine [web page](#) to view the latest provincial data and information on COVID-19 vaccines.
 - Visit Ontario's [website](#) to learn more about how the province continues to protect the people of Ontario from COVID-19.
 - If you have questions about what will be open or impacts to your business or employment, call the Stop the Spread Business Information Line at 1-888-444-3659.
 - Get tested if you have symptoms compatible with COVID-19, or if you have been advised of exposure by your local public health unit or through the COVID Alert App. Visit [Ontario.ca/covidtest](#) to find the nearest testing location.
 - To find the right supports, visit [COVID-19: Support for People](#), which has information about the many available and free mental health services and supports.
 - To stay safe, you can download the COVID Alert App free from the Apple and Google Play app stores.
 - [COVID-19: Reopening Schools](#)
 - [COVID-19 school and child care screening](#)
 - [Operational Guidance: COVID-19 Management in Schools](#) document.
-

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Media Contacts

Ivana Yelich

Premier's Office

Ivana.Yelich@ontario.ca

Alexandra Hilkene

Minister Elliott's Office

Alexandra.Hilkene@ontario.ca

Stephen Warner

Solicitor General's Office

stephen.warner@ontario.ca

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

Proceeding commenced at Toronto

**AFFIDAVIT OF ANTONIO CONFORTI
(sworn January 21, 2020)**

MILLER THOMSON LLP

Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C

Tel: 905.532.6670
Fax: 905.660.0139
bsachdeva@millerthomson.com

Erin Craddock LSO #: 62828J

Tel: 416.595.8631
Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited

TAB 3

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

THE HONOURABLE MR)	WEDNESDAY, THE 27TH
)	
JUSTICE HAINY)	DAY OF JANUARY, 2021
)	

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED**

**ORDER
(Stay Extension)**

THIS MOTION, made by Conforti Holdings Limited (“**Conforti**”), pursuant to the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “**BIA**”) for an order, among other things, (i) approving the third report of Crowe Soberman Inc., in its capacity as proposal trustee in these proceedings (the “**Proposal Trustee**”), dated January ●, 2021 (the “**Third Report**”), and the conduct and activities of the Proposal Trustee as described therein; and (ii) extending the time for Conforti to file a proposal from January 28, 2021, to March 15, 2021, was heard this day by videoconference due to the COVID-19 pandemic.

ON READING Conforti’s notice of motion, the affidavit of Antonio Conforti, sworn January 21, 2021, and the Third Report, and on hearing the submissions of counsel for Conforti and counsel for the Proposal Trustee, and counsel for those other parties appearing as indicated by the counsel slip, no one appearing for any other party although duly served as appears from the affidavit of service, filed,

SERVICE

1. **THIS COURT ORDERS** that the time for service of the notice of motion and the motion record (including service of the Third Report) be and is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF THIRD REPORT

2. **THIS COURT ORDERS** that the Third Report, together with the conduct and activities of the Proposal Trustee as set out therein, be and are hereby approved.

EXTENSION OF TIME TO MAKE A PROPOSAL

3. **THIS COURT ORDERS** that the time to make a proposal is delayed and extended to March 15, 2021.

OTHER

4. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. Toronto time on the date of this Order, and this Order is enforceable without the need for entry and filing.

5. **THIS COURT REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Proposal Trustee and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Proposal Trustee, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Proposal Trustee and its agents in carrying out the terms of this Order.

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

District: Ontario
Division No. 09-Toronto
Court No. 31-2675583
Estate No. 31-2675583

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

Proceeding commenced at Toronto

ORDER
(Stay Extension)

MILLER THOMSON LLP

Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C

Tel: 905.532.6670
Fax: 905.660.0139
bsachdeva@millerthomson.com

Erin Craddock LSO #: 62828J

Tel: 416.595.8631
Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited

IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF
CONFORTI HOLDINGS LIMITED

Court File Nos.: Division No. 09-Toronto
Court No. 31-2675583 and Estate No. 31-2675583

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

Proceeding commenced at Toronto

MOTION RECORD
(RETURNABLE JANUARY 27, 2021)

MILLER THOMSON LLP

Scotia Plaza
40 King Street West, Suite 5800
P.O. Box 1101
Toronto, ON M5H 3S1

Bobby Sachdeva LSO #: 34454C

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Erin Craddock LSO #: 62828J

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Fax: 416.595.8695
ecraddock@millerthomson.com

Lawyers for Conforti Holdings Limited