

**De :** [Koehnen, Mr. Justice Markus \(SCJ\)](#)  
**A :** [Nicholas Avis](#); [Maria Konyukhova](#); [Esaw, Kathryn](#); [Nanfara, Chloe](#); [Patel, Pritesh](#)  
**Cc :** [JUS-G-MAG-CSD-Toronto-SCJ Commercial List](#)  
**Objet :** Re: Re Imerys Talc America, Inc. et al. - Stalking Horse etc. | Court File No. CV-19-614614-00CL  
**Date :** November 03, 2020 9:47:02 AM  
**Pièces jointes :** [stikemanelliott\\_logo\\_rgb\\_120px.png](#)  
[Imerys\\_20201103.pdf](#)

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This is my endorsement arising out of today's hearing and should be placed in the court file.

The applicant seeks an order recognizing an order of the Delaware court which in turn approves a stalking horse bid, the retainer of an environmental consultant and approval of certain steps in relation to employee compensation.

An earlier order of this court has recognized Delaware as the COMI. A service email for the motion record was sent on October 29. A similar email was sent on October 31 with respect to the Information Officer's report. No one has appeared to oppose the order nor has anyone otherwise objected.

In the absence of any objection and in light of the fact that Delaware is the COMI I grant the relief sought.

A signed order is attached.

**Justice Markus Koehnen**

Ontario Superior Court of Justice  
361 University Ave.  
Toronto, Ont.  
M5G 1T3  
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**From:** Nicholas Avis <NAvis@stikeman.com>  
**Sent:** Tuesday, November 3, 2020 8:45 AM  
**To:** Koehnen, Mr. Justice Markus (SCJ) <Markus.Koehnen@scj-csj.ca>  
**Cc:** Maria Konyukhova <MKonyukhova@stikeman.com>; Esaw, Kathryn <kesaw@osler.com>; Nanfara, Chloe <cnanfara@osler.com>; Pritesh Patel <ppatel@richter.ca>  
**Subject:** Re Imerys Talc America, Inc. et al. - Stalking Horse etc. | Court File No. CV-19-614614-00CL

Your Honour,

Ahead of today's hearing, please find attached the proposed recognition order and the counsel slip. The proposed recognition order is identical to the version included in the motion record, with the exception of the addition of the date of the Information Officer's report.

Regards,

**Nick Avis**

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