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Counsel to the Foreign Representative

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

NYGARD HOLDINGS (USA) LIMITED, et al.,¹

Debtors in a Foreign Proceeding.

Chapter 15

Case No. 20-10828 (____)

Joint Administration Requested

**DISCLOSURE PURSUANT TO RULE 1007(a)(4)
OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Richter Advisory Group Inc. ("Richter") is acting solely in its capacity as court-appointed receiver (and not in its personal or corporate capacity) (the "Receiver") and authorized foreign representative (the "Foreign Representative") of:

- (a) Nygard Holdings (USA) Limited ("Holdings");
Nygard Inc. ("Inc.");
Nygard NY Retail, LLC ("NY Retail"); and
Fashion Ventures, Inc. ("Fashion") (collectively, the "U.S. Debtors"); and
- (b) Nygard International Partnership ("International");

¹ The Debtors in these Chapter 15 cases, along with the last four digits of each Debtor's U.S. Federal Employer Identification Number ("FEIN") or Canada Revenue Agency Business Registration Number ("CRA"), are: Nygard Holdings (USA) Limited (FEIN 3048), Nygard Inc. (FEIN 0509), Nygard NY Retail, LLC (FEIN 1672), Fashion Ventures, Inc. (FEIN 0956), Nygard International Partnership (FEIN 1535), Nygard Properties Ltd. (CRA 0003), Nygard Enterprises Ltd. (FEIN 7127), 4093879 Canada Ltd. (FEIN 1533), 4093887 Canada Ltd. (FEIN 1534).

Nygaard Properties Ltd. (“Properties”);
Nygaard Enterprises Ltd. (“Enterprises”);
4093887 Canada Ltd. (“4093887”); and
4093879 Canada Ltd. (“4093879”) (collectively, the “Canadian Debtors,”
and together with the U.S. Debtors, the “Debtors”).

Each of the Debtors was placed in a receivership on March 18, 2020 by order (the
“Receivership Order”) of the Court of Queen’s Bench Manitoba (the “Canadian Court”), Court
File No. CI 20-01-26627 (the “Canadian Proceeding”).

The Foreign Representative files this disclosure pursuant to Rule 1007(a)(4) of the Federal
Rules of Bankruptcy Procedure, and respectfully states as follows:

1. All of the Debtors are 100% privately owned and controlled by Peter J. Nygaard,
either directly or through a series of holding companies.

2. Richter is the sole authorized receiver of the Debtors and the duly authorized
foreign representative of the Debtors in the Canadian Proceeding. The Foreign Representative’s
address is: 181 Bay Street #3501, Toronto, ON M5J 2T3.

3. Parties to litigation pending in the United States in which the Debtors are parties at
the time of filing of the petition, as known to the Foreign Representative:

- a. *Jane Does Nos. 1-10, individually and on behalf of all others similarly
situated v. Peter J. Nygaard, Nygaard Inc., Nygaard International
Partnership, and Nygaard Holdings Limited*, case no. 1:20-cv-01288,
United States District Court for the Southern District of New York (“Class
Action Lawsuit”);
- b. *Diversified Employment Services v. Nygaard Inc.*, file no. 19STLC10580,
California state court; and

- c. *Blueprint Clothing Corp. v. Nygard International Partnership & Nygard Inc.*, case no. 2:18-cv-09687, United States District Court for the Central District of California.

4. The Foreign Representative seeks provisional relief against the following entities, pursuant to 11 U.S.C. § 1519:

- a. Peter Nygard;
- b. The Class Action Lawsuit plaintiffs (DiCello Levitt Gutzler LLC and The Habalaw Firm, P.A., counsel);
- c. Bishara Textile and Garment Manufacturing Co., as lender;
- d. Orlando Corporation, as lender;
- e. 1435 Broadway LLC as lender;
- f. Brause Investments Inc., as lender and landlord;
- g. Edson's Investments Inc. as lender and landlord;
- h. 1431 Associates LLC, as landlord;
- i. Nygard Biotech Corporation, as non-debtor borrower;
- j. Nygard Ventures Inc., as non-debtor borrower;
- k. Nygard Properties (USA) Limited, as non-debtor lender;
- l. Enterprise Aviation Bermuda Ltd., as borrower;
- m. Nygard International (Barbados) Limited, as non-debtor lender;
- n. Burberry Limited, as threatened infringement action party;
- o. Chico's Brand Investments, Inc., as threatened infringement action party.
- p. Zurich Insurance Company Ltd., as insurance provider;
- q. Zurich American Insurance Company Ltd. as insurance provider;
- r. STARR Indemnity, as insurance provider;

- s. Royal & Sun Alliance Insurance Company of Canada, as insurance provider; and
- t. AIG Insurance Company of Canada, as insurance provider.

Dated: March 18, 2020
New York, New York

Respectfully submitted,

/s/ Steven J. Reisman

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