



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-25-00739279-00CL

DATE: March 02, 2026

NO. ON LIST: 1

TITLE OF PROCEEDING: 1001270243 ONTARIO INC. v. BDC CAPITAL INC. et al.

BEFORE: JUSTICE J. DIETRICH

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

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For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
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For Other, Self-Represented:

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ENDORSEMENT OF JUSTICE J. Dietrich:

- [1] The applicant previously brought a motion for a declaration under s. 3.2 of the *Wage Earner Protection Program Regulation* in connection with a motion returnable June 18, 2025. At the request of the Attorney General of Canada, and without opposition from other parties, that motion was adjourned a number of times, most recently, to today's case conference.
- [2] The underlying issue in respect of timing is that certain of the relief sought overlaps with that before the Quebec Court of Appeal in *Attorney General of Canada c Valeo Pharma Inc .*, court file no. 500-09-031382-252 ("Valeo"). The Quebec Court of Appeal heard that matter at the end of September of 2025 but has not yet released a decision.
- [3] Counsel to Richard Goldglass and certain other terminated employees seeks to schedule a full day hearing of the motion for some time in April on the theory that the Valeo decision should be released sometime in March of 2026 (being six months following the hearing of the matter). The Monitor and Company support that request. The Attorney General requests a further adjournment on the basis that this is national legislation. I understand that Attorney General's position and hopefully the parties and the Court will have the benefit of the Valeo decision prior to the hearing. However, I also accept that there is ongoing prejudice in delay to the 48 former employees to whom the motion relates.
- [4] Accordingly, the hearing is scheduled for a **full day on May 5, 2026** before me.
- [5] Much of the material for the motion is already filed in connection with previous motion dates. However, counsel are directed to ensure that all material related to the May 5, 2026 motion is posted in Case Center in the appropriate bundle by no later than April 29, 2026. If material previously filed addressed a number of issues, some of which have already been dealt with, parties are encouraged to reformat the previously filed material to only address with WEPPA issues.
- [6] Further, if the decision in Valeo is released, supplemental submissions may also be delivered. If counsel cannot agree on a schedule for doing so, they are encouraged to book a case conference through the Commercial List Office in the normal course.



Date: Mar 02, 2026

Justice J. Dietrich