



ORDERED in the Southern District of Florida on May 15, 2023.

A handwritten signature in black ink, appearing to read "Erik P. Kimball".

Erik P. Kimball, Judge  
United States Bankruptcy Court

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION

In re:

ORIGINAL TRADERS ENERGY LTD.,

Debtor.

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Case No. 23-13519-EPK

Chapter 15

**ORDER GRANTING MOTION FOR PROVISIONAL RELIEF**

**THIS MATTER** came before the Court at a hearing held on May 9, 2023 at 1:30 p.m. (the “Hearing”) on the Motion for Provisional Relief in Chapter 15 of Paul van Eyk of KPMG Inc., the duly appointed monitor (the “Monitor”) of ORIGINAL TRADERS ENERGY LTD. (“OTE”), 2496750 ONTARIO INC., ORIGINAL TRADERS ENERGY LP and OTE LOGISTICS LP (collectively, the “OTE Group”) in restructuring proceedings under the *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, in the Ontario Superior Court of Justice (Commercial List) (the “Canadian Court”), Case No. CV-23-00693758-00CL (the “Foreign Proceeding”), pursuant to Sections 1519 and 1520 of title 11 of the United States Code (D.E. 3). The Motion requests the entry of an order for provisional relief to protect assets of the estate, and to impose the automatic stay, pending adjudication by the Court of the Monitor’s *Motion for*

*Recognition of Foreign Main Proceeding.* The Court, having reviewed the Motion and the case file, and upon the record of the Hearing and being otherwise fully advised, finds that good cause exists to grant the requested provisional relief. Accordingly, it is hereby

**ORDERED** as follows:

1. The Motion is **GRANTED**.
2. Pursuant to 11 U.S.C. § 1519 and pending a final hearing on the Motion for Recognition of Foreign Main Proceeding, any and all actions to execute against the assets of OTE, and any attempted sale, transfer, or disposition of the Vessel and the proceeds of any sale thereof, are hereby immediately stayed and enjoined.
3. For the avoidance of doubt, the Vessel may be identified, in summary, as follows:  
**Azimut, S7, Hull Identification Number XAXS7047F122, together with its three (3) engines: Volvo Penta D13-IPS 1050 Engine Serial Number# 20132060472, Volvo Penta D13-IPS 1050, Engine Serial Number# 20132060504, and Volvo Penta D13-IPS 1050 Engine Serial Number# 20132060470**
4. Pending a final hearing on the Motion for Recognition of Foreign Main Proceeding, all provisions of the Mareva Injunction Order dated March 15, 2023 in respect of the Vessel, and all endorsements thereto, to the extent enforceable by this Court under 11 U.S.C. § 1519, are hereby recognized and enforced.
5. The action in the United States District Court for the Eastern District of Michigan styled *OTE USA LLC v. ORIGINAL TRADERS ENERGY LP*, Case No. 2:23-cv-10152, is hereby stayed pending further order of the Court and all other legal actions against OTE and affiliates are stayed.
6. Without limiting the foregoing, (a) the automatic stay imposed by 11 U.S.C. § 362(a) applies with respect to the OTE Group and property of the OTE Group within the territorial

jurisdiction of the United States and (b) the Monitor is entitled to all relief provided in 11 U.S.C. § 1521(a)(3), and is hereby granted such relief.

7. This Court retains jurisdiction over the interpretation and/or any dispute relating or arising under this Order and to grant such additional and further provisional relief as may be authorized and necessary.

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Attorney Peter H. Levitt is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of this order.