

Bracewell LLP  
1251 Avenue of the Americas  
New York, NY 10020-1100  
Telephone: (212) 508-6100  
Facsimile: (212) 508-6101  
Jennifer Feldsher  
Mark E. Dendinger

*Attorneys for FTI Consulting Canada Inc.  
In its Capacity as Monitor and Foreign Representative for the Debtor*

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

In re:  
  
IMPERIAL TOBACCO CANADA  
LIMITED,  
  
Debtor in a Foreign Proceeding.

Chapter 15  
  
Case No. 19-10771 (SCC)

**ORDER GRANTING INTERIM MOTION TO SEAL**

Upon the motion, dated March 14, 2019 (the “Motion”), of FTI Consulting Canada Inc. (“FTI,” or the “Monitor”) pursuant to section 107(b) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 9018 of the Federal Rules of Bankruptcy Procedures (the “Bankruptcy Rules”), and Local Rule 9081-1 to file and maintain the Individual Provisional Relief List<sup>1</sup> under an order directing that the sealed information shall remain under seal and not be made available to anyone, except as specifically provided in this Order, without further order of the Court, all as more fully set forth in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b);

<sup>1</sup> Capitalized terms not defined herein shall have the same meaning as given in the Motion.



and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Monitor in its capacity as foreign representative for the Debtor and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Motion is granted as set forth herein.
2. Pursuant to sections 105(a) and 107(b) and (c) of the Bankruptcy Code, Bankruptcy Rule 9018 and Local Rule 9018-1, the Monitor is authorized and directed to file the Individual Provisional Relief List under seal, on an interim basis; *provided*, that the U.S. Trustee's rights to contest the Monitor's ability to file such information under seal and request further briefing on the issue are fully reserved, subject in all respects to the Monitor's rights to contest any such requests.
3. The Monitor shall provide unredacted copies of the Individual Provisional Relief List to the Court for *in camera* review and to the United States Trustee.
4. All information filed under seal pursuant to this Order shall remain under seal until the further order of the Court.
5. This Order is without prejudice to the rights of any party in interest to seek to make public any portion of the Individual Provisional Relief List filed under seal.
6. Upon entry of this Order, the Monitor shall submit the signed Order, together with one hard copy and one soft copy (on CD or flash drive) of the Individual Provisional Relief List with the Clerk of this Court under seal in an envelope, clearly indicating that the same has been

filed under seal by order of the United States Bankruptcy Court for the Southern District of New York and may not be unsealed until and unless permitted by further order of the Court.

7. The Clerk of the Court shall treat the Individual Provisional Relief List as confidential and counsel for the Monitor shall contact the Clerk's Office regarding the return or disposition of the Individual Provisional Relief List as soon as practicable following the conclusion of this case.

8. The Monitor is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

9. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

10. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: March 14, 2019  
New York, New York

/S/ Shelley C. Chapman  
UNITED STATES BANKRUPTCY JUDGE