



Ontario
Securities
Commission

Commission des
valeurs mobilières
de l'Ontario

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File No. 2017-65

**IN THE MATTER OF
LAND AND BUILDINGS INVESTMENT MANAGEMENT, LLC**

D. Grant Vingoe, Vice-Chair and Chair of the Panel

November 28, 2017

ORDER

WHEREAS on November 23, 2017, the Ontario Securities Commission issued an order scheduling, among other things, hearing dates for a motion of Land and Buildings Investment Management, LLC (the "**Applicant**") for a stay of a decision of the Toronto Stock Exchange (the "**TSX**") made on November 7, 2017 (the "**TSX Decision**") and for any other preliminary matters;

ON READING correspondence from the representatives for Hudson's Bay Company ("**HBC**") dated November 24, 2017, indicating that HBC and Rhône Capital LLC and/or its affiliates have agreed that they will not close the issuance of the Preferred Shares, as defined in the Applicant's Amended Notice of Application in this proceeding, dated November 24, 2017, before the earlier of: (a) December 12, 2017, and (b) the conclusion or withdrawal of the Hearing and Review relating to the TSX Decision (the "**Hearing and Review**");

IT IS ORDERED THAT:

1. By no later than November 30, 2017, the Applicant shall serve and file the Applicant's full record, including a memorandum of fact and law, any sworn affidavits being relied upon, and notice of any intention to call a witness or to rely on documents or things not included in the TSX record of original proceeding;
2. By no later than December 4, 2017, responding materials for the Application shall be served and filed by any parties other than the Applicant, including a memorandum of fact and law, any sworn affidavits being relied upon, and notice of any intention to call a witness or rely on documents or things not included in the TSX record of original proceeding;
3. By no later than December 5, 2017, the Applicant shall serve and file any reply materials;
4. By no later than December 6, 2017, Staff's submissions shall be served and filed;
5. The Hearing and Review, including the request for relief pursuant to subsection 127(1) of the Act, shall commence on December 8 at 10:00 a.m. and shall

continue on December 11 and 12, 2017 at 10:00 a.m., or such other dates as may be agreed to by the parties and set by the Office of the Secretary; and

6. The hearing dates of November 30 and December 1, 2017 are vacated.

"D. Grant Vingoe"

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