

IN THE SUPREME COURT OF NOVA SCOTIA  
IN BANKRUPTCY AND INSOLVENCY

**Citation: Classic Cheesecakes Delicious Delectable Delivered Inc. (Re)  
2007 NSSC 190**

**Date:** June 13, 2007  
**Docket:** S.H. 280604  
**Registry:** Halifax

**In the Matter of: Classic Cheesecakes Delicious Delectable Delivered  
Incorporated**

**In the Matter of: the Petition of Nova Scotia Business Incorporated (the  
“Petitioner”) for a Receiving Order**

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**Registrar:** Richard W. Cregan, Q.C.

**Heard:** May 25, 2007

**Written Decision:** June 13, 2007

**Subject:** Nova Scotia Business Incorporated (NSBI) petitioned the court for a receiving order under the *Bankruptcy and Insolvency Act* against Classic Cheesecakes Delicious Delectable Delivered Incorporated (the Company).

**Summary:** The Company has been in default under loans from NSBI as well as other term and current loans, and payables. It was operating at only 15% capacity.

The Company submitted on the basis of expectation of future demand for its product that given a chance it could turn around and pay its debts.

**Result:**

The court found that a receiving order should be granted. The Company was indebted to NSBI for more than \$1,000 and it had ceased to meet its liabilities generally as they became due.

The extent of its liabilities was so great and future demand for its product was so speculative that it was not reasonable to expect it would be able to turn itself around and be able to pay its debt.

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