

Brendan Bissell

From: Conway, Madam Justice Barbara (SCJ) <Barbara.Conway@scj-csj.ca>
Sent: Wednesday, May 27, 2020 10:19 AM
To: Brendan Bissell; jnemers@airdberlis.com; sheldon.title@mnp.ca
Cc: JUS-G-MAG-CSD-Toronto-SCJ Commercial List
Subject: Re: Galty B.V. - Estate File No. 31-248304
Attachments: Signed Order May 27 2020.pdf

Importance: High

Due to the COVID-19 crisis, I held a hearing on the above matter today by Zoom videoconference call. This motion hearing was held in accordance with: (a) the Consolidated Notice to the Profession, Litigants, Accused Persons, Public and the Media issued by Chief Justice Morawetz on May 13, 2020; and (b) the Changes to Commercial List operations in light of COVID-19 developed by the Commercial List judges in consultation with the Commercial List Users Committee, as updated. The videoconference facilities were arranged by the GSNH law firm. The motion materials were sent to me by email.

This email constitutes my endorsement of today's date and is to be placed in the court file. The following participants were on the videoconference call with me: R. Brendan Bissell, for MNP Ltd. in its capacity as trustee in bankruptcy of Galty B.V. (the Bankrupt); Jeremy Nemers, for Aird & Berlis LLP (AB); and Sheldon Title, of MNP Ltd. as trustee in bankruptcy of Galty B.V.

The motion had originally been scheduled for March 20, 2020 but was adjourned due to COVID-19. It was brought back on today. Mr. Bissell advised the service list of today's attendance and sent the Zoom details to them. No one attended today to oppose the motion or filed any materials in opposition to the motion.

The motion is for an order with respect to the funds held by AB in its trust account. The order directs AB to release \$591,503 in trust funds to the Trustee, less the sum of \$45,805.93 which the Trustee and AB have agreed is to be retained by AB in payment of its outstanding accounts with the Bankrupt. An order is required as AB had been holding the funds in its trust account pursuant to previous court orders. I am satisfied that the order should be granted.

Order to go as signed by me and attached to this email. The order is effective from today's date and is enforceable without the need for entry and filing.



Superior Court of Justice (Toronto)