

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**



THE HONOURABLE

JUSTICE

BETWEEN:

T. McGLUON

)
)
)

THURSDAY, THE 24TH DAY
OF MAY, 2018

**TREZ CAPITAL LIMITED PARTNERSHIP,
TREZ CAPITAL (2011) CORPORATION and
COMPUTERSHARE TRUST COMPANY OF CANADA**

Applicants

- and -

2481043 ONTARIO INC.

Respondent

**ORDER
(Ancillary Relief)**

THIS MOTION, made by MNP Ltd. in its capacity as the court-appointed receiver (the “Receiver”) of all of the assets, undertakings and properties of 2481043 Ontario Inc. (the “Debtor”), for orders (among other things): (a) approving a sale transaction; (b) vesting the Debtor’s right, title and interest in and to its assets in the proposed purchaser; (c) sealing the Confidential Appendices to the First Report of the Receiver dated May 16, 2018 (the “**First Report**”); (d) authorizing and directing the Receiver to make distributions as described in the First Report; (e) approving the activities of the Receiver as described in the First Report; (f) approving the fees and disbursements of the Receiver and its legal counsel, as described in the First Report and accompanying affidavits; and (g) discharging the Receiver upon its filing a certificate with the court confirming that the administration of the receivership has been completed, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the First Report and on hearing the submissions of counsel for the Receiver, for the Applicants, for the Debtor and for Don Mills Storage Inc., no one appearing for any other person on the service list, although properly served as appears from the affidavit of Amy Casella sworn May 18, 2018, filed:

Service

1. THIS COURT ORDERS that the time for service and filing of the Notice of Motion and the Motion Record of the Receiver is hereby abridged, and that service on any person other than those served is hereby dispensed with.

Sealing

2. THIS COURT ORDERS that the Confidential Appendices to the First Report shall be sealed until the filing of a certificate by the Receiver confirming that the Don Mills Transaction (as defined in the First Report) has been completed, or until further order of this Court.

Distributions

3. THIS COURT ORDERS that the Receiver is hereby authorized and directed to make distributions to the Applicants as described in the First Report.

Books and Records

4. THIS COURT ORDERS that the Receiver is hereby authorized to dispose of the books, records and computers located at 1450 Don Mills Road, Toronto.

Approval of Receiver's Activities

5. THIS COURT ORDERS that the activities of the Receiver as described in the First Report are hereby approved.

Approval of Receiver's Fees and Expenses

6. THIS COURT ORDERS that the fees and disbursements of the Receiver and its legal counsel, as described in the First Report and accompanying affidavits, are hereby approved.

Discharge of Receiver

7. THIS COURT ORDERS that upon completion of the Don Mills Transaction and the Receiver filing a certificate with the Court confirming that the administration of the receivership has been completed, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of MNP Ltd. in its capacity as Receiver.

A handwritten signature in black ink, appearing to be 'M. J. S.', written over a horizontal line.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

MAY 25 2018

PER / PAR:

A handwritten signature in blue ink, appearing to be 'pl', written over a horizontal line.

TREZ CAPITAL LIMITED PARTNERSHIP et al.

2481043 ONTARIO INC.

Applicants

Respondent

Court File No. CV-17-11800-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at TORONTO

**ORDER
(Ancillary Relief)**

CHAITONS LLP
5000 Yonge Street, 10th Floor
Toronto, ON M2N 1M9

George Benchetrit (LSUC #34163h)
Tel: (416) 218-1141
Fax: (416) 218-1841
E-mail: george@chaitons.com

**Lawyers for MNP Ltd., in its capacity as
court-appointed receiver of the assets,
undertakings and properties of 2481043
Ontario Inc.**