



A2322

Court File No.: CV-22-00001571-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)

FRIDAY, THE 14TH

JUSTICE *A.K. Mitchell*)

DAY OF APRIL, 2023

BETWEEN:

THE BANK OF NOVA SCOTIA

Applicant

- and -

RICHMOND MEDICAL CENTRE INC. and I LOV THIS PLACE 11 INC.

Respondents

APPLICATION UNDER Section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c B-3, as amended and Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c C.43, as amended

ORDER

THIS MOTION, made by MNP Ltd. ("MNP"), in its capacity as court-appointed receiver (the "Receiver") of the assets, undertakings and properties of Richmond Medical Centre Inc. and I Lov This Place 11 Inc. pursuant to the Order of the Honourable Mr. Justice Grace dated December 9, 2022 for an order:

- (a) to the extent necessary, abridging or waiving the time for service and filing of this Notice of Motion and all materials filed in support thereof, validating the method of service, and dispensing with further service so that this motion is properly returnable on April 14, 2023;

A409

- (b) approving the First Report to the Court of the Receiver dated March 9, 2023 (the "**Report**") and the activities and actions of the Receiver described therein;
- (c) approving the marketing and sale process for the Richmond Street Property and Oak Street Property, each as defined in the Report, as described in section 3.0 of the Report and the Confidential Supplement, as defined below, subject to such minor amendments to the sale process as deemed necessary or appropriate by the Receiver (the "**Sale Process**");
- (d) approving the Receiver's Statement of Receipts and Disbursements attached as Appendix "I" to the Report for the period ending February 28, 2023 (the "**Statement of Receipts and Disbursements**");
- (e) approving the professional fees of the Receiver and its legal counsel;
- (f) sealing the confidential supplement (the "**Confidential Supplement**") to the Report; and
- (a) such further and other relief as counsel may advise and this Honourable Court may deem just.

was heard this day by videoconference.

ON READING the Report and on hearing the submissions of counsel for the Receiver and such other counsel that were present as listed on the participant information sheet, no one else appearing for any other person on the service list, although duly served as appears from the affidavits of service, filed:

1. **THIS COURT ORDERS** that the time for and method of service of the notice of motion and the motion record are hereby abridged and validated, as necessary, so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the Report and the activities and conduct of the Receiver described in the Report are hereby approved.
3. **THIS COURT ORDERS** that the marketing and sale process for the Richmond Street Property and Oak Street Property as described in section 3.0 of the Report and the Confidential Supplement, subject to such minor amendments as deemed necessary or appropriate by the Receiver, is hereby approved.
4. **THIS COURT ORDERS** that the Statement of Receipts and Disbursements be and the same is hereby approved.
5. **THIS COURT ORDERS** that the professional fees of the Receiver and its legal counsel, Miller Thomson LLP, as described in the fee affidavits of Rob Smith sworn March 8, 2023 and Michael Prosia sworn March 9, 2023, be and the same are hereby approved.
6. **THIS COURT ORDERS** that the Confidential Supplement shall be sealed until the earlier of a) the completion of the sales of the Richmond Street Property and Oak Street Property, and b) further order of this Court.


Justice, Ontario Superior Court of Justice

THE BANK OF NOVA SCOTIA

and

RICHMOND MEDICAL CENTRE
INC. and I LOV THIS PLACE 11 INC.

Applicant

Respondents

Court File No: CV-22-00001571-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at LONDON

ORDER

MILLER THOMSON LLP
One London Place
255 Queens Avenue, Suite 2010
London, ON Canada N6A 5R8

Tony Van Klink LSO#: 29008M
tvanklink@millerthomson.com
Tel: 519.931.3509
Fax: 519.858.8511

**Lawyers for MNP Ltd., the court-
appointed Receiver of Richmond
Medical Centre Inc. and I Lov This Place
11 Inc.**