



ONTARIO SUPERIOR COURT OF JUSTICE  
London

ENDORSEMENT / ORDER

CV-22-00001571-0000

Court File No.

BETWEEN

THE BANK OF NOVA SCOTIA

Plaintiff(s)/Applicant(s)

- and -

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

Defendant(s)/Respondent(s)

BEFORE: The SCJ MOTIONS

HELD BY:  In person  Videoconference  Teleconference  In writing  Hybrid

DATE: January 12, 2024 at 10:00am

EVENT TYPE: Motion on notice

APPEARING: (Names and email addresses)

Plaintiff(s)/Applicant(s): THE BANK OF NOVA SCOTIA

Present

Representative: Timothy Hogan (lprovost@harrisonpensa.com)

*A.T. Masterson.*

Present

Defendant(s)/Respondent(s): RICHMOND MEDICAL CENTRE INC.

Present

Representative: ~~ROD REFCIO~~ (refcio@rmlaw.ca)

Present

Defendant(s)/Respondent(s): I LOV THIS PLACE 11 INC.

Present

Representative: ~~ROD REFCIO~~ (refcio@rmlaw.ca)

Present

Third Party or Parties

*→ T. Van Klink <sup>est.</sup> - MNP. ✓*

Present

Representative:

*R. Smith. - ~~est.~~ representative. ✓*

Present

*K. Bezprozvannykh → 2nd mortgage ✓  
(est.)*

RELIEF REQUESTED:

Per notice of motion/application  Per notice of appeal  Other (specify):

*Ms. Jackson a behalf of Respondents present ✓*

**DISPOSITION:**

- Order to go in the form of consent / draft order submitted
- Order to go as asked in paragraph(s) \_\_\_\_\_ of relief requested
- Costs of \$ \_\_\_\_\_ on a \_\_\_\_\_ indemnity basis are payable by \_\_\_\_\_ to \_\_\_\_\_ by \_\_\_\_\_, 20\_\_.
- Parties to provide submissions as to costs of no more than \_\_\_ pages by \_\_\_\_\_, 20\_\_.
- Parties to attend before me to make oral submissions on costs on \_\_\_\_\_, 20\_\_.
- Other (specify below):
- No formal order need be taken out.

**BRIEF REASONS** (if any):

*Ans. This matter was for a contested adjournment of the Receiver. MNP's application pursuant to s. 243(1) of the BIA and s. 104 of the C.B.A.*

*The principal debtor Ms. Jackson wishes an opportunity to respond to some of the items set out in the Receiver's 2nd report dated December 12, 2023 as well as some items in the Statement of Receipts and Disbursements. Those are items b) and d) respectively of the draft order provided. She does not take any issue with the remainder of the order being sought including*

\_\_\_\_\_ 20\_\_ Date \_\_\_\_\_ Signature of Judicial Official

*relating to the sale of the property. Having reviewed the Confidential supplemental report provided, this Court approves the changes sought to the Sales Process.*

*On consent, the order w.r.t items a) c) e) f) shall issue in the form of draft provided →*

The balance of the Application shall  
be adjourned to Feb. 11, 2024 @ 10am

The Respondent is to provide any materials  
by Feb 9, 2024.

Mr. Van Klink will prepare an amended  
order today for the Court's review.

John Moore  
Justice R.J. Moore.

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MADAM )

FRIDAY, THE 12TH

JUSTICE MOORE )

DAY OF JANUARY, 2024

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 January 12, 2024;

- (b) approving the Second Report to the Court of the Receiver dated December 12, 2023 (the “**Report**”) and the activities and actions of the Receiver described therein;
- (c) approving the updated marketing and sale process for the Richmond Street Property, as defined in the Report, as described in section 2.0 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 “E” to the Report for the period ending October 31, 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, Lisa Jackson, personally, 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 marketing and sale process for the Richmond Street Property as described in section 2.0 of the Report and the Confidential Supplement, subject to such minor amendments as deemed necessary or appropriate by the Receiver, is hereby approved.
3. **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 December 11, 2023 and Michael Prosia sworn December 27, 2023, be and the same are hereby approved.
4. **THIS COURT ORDERS** that the Confidential Supplement shall be sealed until the earlier of a) the completion of the sale of the Richmond Street Property, and b) further order of this Court.
5. **THIS COURT ORDERS** that this motion for the relief set forth in paragraphs (b) and (d) above is adjourned to February 16, 2024. Elizabeth Jackson shall deliver any responding materials by no later than February 9, 2024.

  
Justice, Ontario Superior Court of Justice

THE BANK OF NOVA SCOTIA  
Applicant

and

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

Court File No: CV-22-00001571-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at LONDON

**ORDER**

**MILLER THOMSON LLP**

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