



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: **CV-23-00705867-00CL**

DATE: **November 14, 2023**

REGISTRAR: **Teodoro Olaso**

NO. ON LIST: **3**

TITLE OF PROCEEDING: **Bank of Montreal vs. 11603531 Canada Inc.**

BEFORE JUSTICE: **Cavanagh, Justice Peter**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown, etc.:

Name of Person Appearing	Name of Party	Contact Info
Tony Van Klink	Bank of Montreal	tvanklink@millerthomson.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Howard Manis	11603531 Canada Inc.	hmanis@manislaw.ca

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
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ENDORSEMENT OF JUSTICE CAVANAGH:

- (1) The Applicant brings this application for the appointment of a receiver.
- (2) The Respondent is in default in repayment of loans made to it by the Applicant. A Forbearance Agreement was signed to allow the Respondent additional time to refinance the loans. The forbearance period has expired. In the Forbearance Agreement, the Respondent consented to the making of a receivership order upon the conclusion of the forbearance period.
- (3) The Respondent seeks an adjournment of this application to give it more time to arrange re-financing.
- (4) I decline to adjourn the application.
- (5) I am satisfied that it is just and convenient for a receivership order to be made.
- (6) If the Respondent is able to arrange re-financing, it may confer with the Receiver about repayment of the Applicant's secured debt and, if suitable arrangements are made, the parties are at liberty to seek an order discharging the receiver.
- (7) Order to issue in form of Order signed by me today.