

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR. )

THURSDAY, THE 11TH

JUSTICE HAINEY )

DAY OF JUNE, 2020

BETWEEN:

**BANK OF MONTREAL**

Applicant

- and -

**1254044 ONTARIO LIMITED, 2431264 ONTARIO INC., 2189788 ONTARIO INC., 1552838 ONTARIO INC., 1786675 ONTARIO LIMITED, 2034039 ONTARIO INC., 2660556 ONTARIO LIMITED, 2541899 ONTARIO LIMITED and 2542372 ONTARIO INC.**

Respondents

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

**ORDER  
(Ancillary Oder)**

THIS MOTION, made by MNP Ltd., in its capacity as the Court-appointed receiver (the "Receiver") of the assets, undertakings and properties of 1254044 Ontario Limited, 2431264 Ontario Inc., 2189788 Ontario Inc., 1552838 Ontario Inc., 1786675 Ontario Limited, 2034039 Ontario Inc., 2660556 Ontario Limited, 2541899 Ontario Limited, and 2542372 Ontario Inc. (the "Debtors"), for, among other relief, an order,

- (a) directing that this motion be heard by teleconference;
- (b) if necessary, abridging the time for and validating service of the notice of motion and motion record, including the Second Report of the Receiver to the Court dated May 1, 2020 (the "Second Report"), and directing that any further service

of the notice of motion and the motion record be dispensed with such that this motion is properly returnable on June 11, 2020;

- (c) authorizing the Receiver to disclaim any contracts to which any of the Debtors are a party and which are not assigned to the purchasers under the Transactions (as defined in the Second Report);
- (d) approving the Second Report and the conduct and activities of the Receiver reported therein;
- (e) approving the Receiver's statement of receipts and disbursements for the period October 16, 2019 to February 28, 2020;
- (f) sealing the confidential supplement (the "Confidential Supplement") to the Second Report; and
- (g) such further and other relief as counsel may advise and this Honourable Court may deem just,

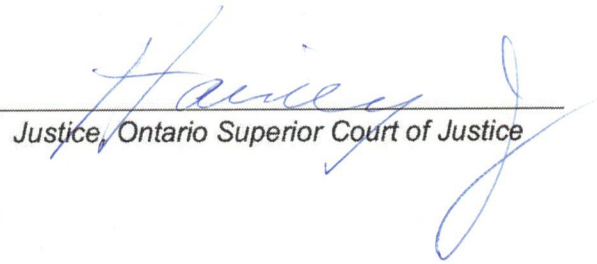
was heard this day by teleconference.

ON READING the Second Report and on hearing the submissions of counsel for the Receiver, and such other persons on the Service List as may be present and on noting that no other persons appeared, although properly served as appears from the affidavits of service of Julie Franchini sworn May 11, 2020 and Laurie Marshall sworn May 8, 2020, filed:

1. THIS COURT ORDERS that this motion be heard by judicial videoconference via Zoom at Toronto, Ontario due to the COVID-19 crisis;
2. THIS COURT ORDERS that the time for and method of service of the notice of motion and the motion record, including the Second Report, are hereby abridged and validated, as necessary, such that this motion is properly returnable today and hereby dispenses with further service thereof;
3. THIS COURT ORDERS that the Second Report and the activities and conduct of the Receiver described in the Second Report be and are hereby approved.
4. THIS COURT ORDERS that the Receiver's statement of receipts and disbursements for the period October 16, 2019 to February 28, 2020 is hereby approved.

5. THIS COURT ORDERS that the Confidential Supplement shall be sealed until the earlier of a) the completion of the Transactions, and b) further order of this Court.

6. THIS COURT ORDERS that the Receiver be and is hereby authorized to disclaim any contracts to which any of the Debtors are a party and which are not assigned to and assumed by the purchasers under the Transactions.

  
Justice, Ontario Superior Court of Justice

BANK OF MONTREAL

and

1254044 ONTARIO LIMITED, 2431264 ONTARIO INC.,  
2189788 ONTARIO INC., 1552838 ONTARIO INC.,  
1786675 ONTARIO LIMITED, 2034039 ONTARIO INC.,  
2660556 ONTARIO LIMITED, 2541899 ONTARIO LIMITED  
and 2542372 ONTARIO INC.

Court File No. CV-19-00629058-00CL

Applicant

Respondents

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SUPERIOR COURT OF JUSTICE  
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Proceeding commenced at TORONTO

**ANCILLARY ORDER**

**MILLER THOMSON LLP**

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Receiver of the assets, undertakings and  
properties of 1254044 Ontario Limited, 2431264  
Ontario Inc., 2189788 Ontario Inc., 1552838  
Ontario Inc., 1786675 Ontario Limited, 2034039  
Ontario Inc., 2660556 Ontario Limited, 2541899  
Ontario Limited, and 2542372 Ontario Inc.