



SUPERIOR COURT OF JUSTICE

ENDORSEMENT

COURT FILE NO.: CV-23-00698539-00CL

DATE: Nov 22, 2023

NO. ON LIST: 3

TITLE OF PROCEEDING: **CANADIAN IMPERIAL BANK OF COMMERCE v. 1340182 ONTARIO LIMITED et al**

BEFORE: **JUSTICE CAVANAGH**

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party:**

Name of Person Appearing	Name of Party	Contact Info
Thomas Gertner	Counsel for the Applicant, Canadian Imperial Bank of Commerce	thomas.gertner@gowlingwlg.com
Sepideh Nassabi	Lawyer for the Receiver, MNP Ltd.	snassabi@mindengross.com

**For Defendant, Respondent, Responding Party:**

Name of Person Appearing	Name of Party	Contact Info
David A. Seed	Counsel for the Respondent, Arthur Bryan	dseedlaw@rogers.com

**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info
Ian P. Katchin	Counsel for the 1st Mortgagee	ikatchin@foglers.com

**ENDORSEMENT**

[1] MNP Ltd. (the "Receiver") was appointed as receiver of Kazembe & Associates Professional Corporation and 1340182 Ontario Limited.

[2] The Receiver moves for two orders: First, an order (i) approving the Receiver's reports and the conduct and activities of the Receiver and its counsel as described in the reports, (ii) a sealing order for confidential appendices in connection with a sale of real property, and (iii) approval of the fees and disbursements of the Receiver and its counsel and approval of the interim statement of receipts and disbursements dated November 9, 2023; and, second, an approval and vesting order in respect of a sale transaction contemplated by an agreement of purchase and sale made between the Receiver and 1000563411 Ontario Inc. dated October 3, 2023.

[3] I have reviewed the motion materials and I am satisfied that the requested orders should be made. The mortgagees who were represented by counsel at this hearing support the sale transaction.

[4] Arthur Bryan, one of the mortgagees, intends to move for an order determining priority to the proceeds of sale. This motion will be scheduled at a scheduling appointment to be obtained after the motion materials have been circulated.

[5] Orders to issue in form of Orders signed by me today.

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Justice Cavanagh

Date: November 22, 2023