



ONTARIO SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-23-00698764-00CL DATE: 29 September 2023

NO. ON LIST: 2

TITLE OF PROCEEDING: Bank of Montreal v. 2243080 Ontario Inc. et al.

BEFORE JUSTICE: KIMMEL

**PARTICIPANT INFORMATION**

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

Name of Person Appearing	Name of Party	Contact Info
STAPLES, CHRISTOPHER	Bank of Montreal	chris@chaitons.com

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

Name of Person Appearing	Name of Party	Contact Info
ROSENSTEIN, JONATHAN	2243080 Ontario Inc.	jrosenstein@rosensteinlaw.ca

**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info

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**ENDORSEMENT OF JUSTICE KIMMEL:**

1. The parties (creditor and debtor) appeared before me on July 21, 2023, at which time a conditional receivership order was made, the terms of which were finalized as between the parties as reflected in an endorsement of July 31, 2023 and order dated July 21, 2023 (the "Order").
2. There has been a delay in the closing of one of the contemplated transactions upon which the order is conditioned.
3. The creditor and the debtor have agreed to terms to extend the time when the order will automatically go into effect as follows:

**Conditional on the Debtor paying \$300,000 to BMO on or before October 3, 2023 at 5 pm, which amounts, when paid will immediately be applied to reduce the outstanding debt:**

- a) **Paragraph 3(g) of the Order is changed from 12:01 a.m. on October 2, 2023 to 12:01 a.m. on November 10, 2023 and**
  - b) **Paragraph 6 of the Order is amended to reflect that closing of the Pickering property is extended from September 27, 2023 to November 6, 2023 with net proceeds of sale paid to BMO to be an amount of not less than \$4,000,000.**
4. These changes to the court's previous Order are hereby approved, with immediate effect and without the necessity of a further or amended order being taken out.



KIMMEL J.