



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-23-00698764-00CL DATE: 6 November 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
Christopher Staples	Bank of Montreal	Chris@chaitons.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Jonathan Rosenstein	2243080 ONTARIO INC. 2496287 ONTARIO INC.	jrosenstein@rosensteinlaw.ca

ENDORSEMENT OF JUSTICE KIMMEL:

1. The parties (creditor and debtors) 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 was an initial delay in the closing of one of the contemplated transactions upon which the order is conditioned that resulted in an extension of certain deadlines in the Order. That extension was implemented by an endorsement dated September 29, 2023.

3. There has been a further delay in the closing of one of the contemplated transactions and the parties are seeking a brief further extension of certain deadlines in the Order, as follows:

The Applicant and Respondents have agreed to terms amending the receivership order issued by Justice Kimmel dated July 21, 2023 (the Order) to extend the time upon which the order will automatically go into effect as follows:

- a. **Paragraph 3(g) of the Order is changed from 12:01 a.m. on November 10, 2023 to 12:01 am on November 24, 2023, and**
 - b. **Paragraph 6 of the Order is amended to reflect that closing of the Pickering property is extended from November 6, 2023 to November 10, 2023 with net proceeds of sale in the minimum amount of \$4,150,000 to be paid to BMO no later than November 14, 2023.**
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.

A handwritten signature in cursive script that reads "Kimmel J.".

KIMMEL J.