

COUNSEL SLIP

COURT FILE NO. CV-17-11800-002

DATE Dec 15/17

TREZ CAPITAL LIMITED  
PARTNERSHIP

NO ON LIST 5

TITLE OF  
PETITIONER(S)

VS.

2481043 CHARTER INC.

COUNSEL FOR:  
PLAINTIFF(S)  
APPLICANT(S)  
PETITIONER(S)

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Capital

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This application for a Receiver has been ongoing since May 2017. Trez has granted numerous adjournments or indulgences to 248 - to enter into an agt of P+S for the property (which fell through) and to raise new financing. 248 consented to a Receivership order if these events did not materialize. At this point, 248 says it has an LOI to refinance but it is still in the due diligence stage. There is no firm commitment. Mr Fogel valiantly pleaded for more time + even sought leave to bring an injunction to restrain the Receivership. Given the past indulgences, the continued promises of 248 to refinance or somehow take out Trez + its lack of success in doing so, I am not prepared to grant:

any further adjournment or to hear an  
injunction motion or to grant any  
stay of the consent re-employment  
order.

Re-employment order to go as signed by me.

Conway J