

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

)

FRIDAY, THE 21ST

JUSTICE STEELE

)

DAY OF JULY, 2023

)

B E T W E E N:

THE TORONTO-DOMINION BANK

Applicant

- and -

2668438 ONTARIO INC.

Respondent

ORDER

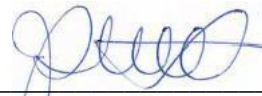
THIS MOTION made by the Applicant, the Toronto-Dominion Bank, for an order:

1. That the time for service, filing and confirmation of the Notice of Motion and the Motion Record be abridged so that this motion is properly returnable today and hereby dispensing with further service and confirmation hereof;
2. An Order validating service of the Applicant's Notice of Application and Application Record on 2668438 Ontario Inc. by delivery by e-mail to the email address michael.frontecmetalfab@gmail.com, on June 28, 2023; and,
3. Such further and other relief as counsel may advise and this Honourable Court may allow;

was heard this day by Judicial teleconference via Zoom at Toronto, Ontario.

ON READING the affidavit of Affidavit of Kathryn Furfaro, sworn June 9, 2023 and the Exhibits thereto, the Supplementary Affidavit of Kathryn Furfaro, sworn July 14, 2023 and the Exhibits thereto, and the Report to the Court submitted by MNP Ltd., in its capacity as Proposed Court-Appointed Receiver dated July 12, 2023, and dated July 20, 2023 and on hearing the submissions of counsel for the Applicant, no one appearing for any other party on the service list although duly served as appears from the affidavits of service of Thomas Masterson sworn July 18, 2023 and Isabelle Stacey sworn July 19, 2023.

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record be abridged so that this motion is properly returnable today and hereby dispensing with further service and confirmation hereof.
2. **THIS COURT ORDERS** that the service of the Applicant's Notice of Application and Application Record on 2668438 Ontario Inc. by delivery by e-mail to the email address michael.frontecmetalfab@gmail.com, on June 28, 2023, is hereby validated.



Justice, Ontario Superior Court of Justice
Commercial List

THE TORONTO-DOMINION BANK

-and-

2668438 ONTARIO INC.

Applicant

Respondent

Court File No. CV-23-00701809-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at
Toronto, Ontario

ORDER

HARRISON PENZA ^{LLP}

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