

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

**STANBARR SERVICES LIMITED, JANODEE INVESTMENTS LTD.,
MEADOWSHIRE INVESTMENTS LTD., REGARD INVESTMENTS LTD., 1563503
ONTARIO LIMITED, BEAVER POND INVESTMENTS LTD., THE CANADA TRUST
COMPANY, RITA ROSENBERG and 527540 ONTARIO LIMITED**

Applicants

- and -

METROPOLIS PROPERTIES INC.

Respondent

APPLICATION UNDER Sections 47(1) and 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, and Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43.

ENDORSEMENT OF MR. JUSTICE BROWN

July 10, 2014

The evidence shows that some person or persons are interfering with the Receiver's performance of its duties and, as well as, that serious questions exist about the legality of the sale of the property on June 6/14 from Canada Investment Corporation to 2413913 Ontario Ltd. and the legality of the 4 mortgages registered against the Property on June 6 and 17/14, as identified in paragraph 41 of the affidavit of Harvey Margel sworn July 7/14. Serious questions also exist about whether the debtor, Metropolis, through its counsel, misled this Court on June 11 and 16/14. These questions must be answered.

In the meantime, stability must be brought to the operations of the Property under receivership, 91-93 Scollard St., Toronto. To that end, I am issuing an interim order, which will expire at 6

p.m. on Friday, July 18/14, restraining (i) any party to this proceeding, (ii) 2413913 Ontario Ltd., (iii) Ginkgo Mortgage Investment Corp., (iv) Canada Investment Corporation, (v) 2421955 Ontario and (vi) Sai Mohammed from taking any steps to exercise any rights they enjoy as owner or mortgagee of the Property, including restraining them from conveying, encumbering and disposing in any way the Property and restraining them or their agents from interfering with the Receiver.

The named parties and persons shall appear before me on Friday, July 18 for a continuation hearing of up to 1 hour. I make this interim order because it is evident that someone is disobeying the order of this Court and interfering with the conduct of a Court appointed officer. In order to begin to secure answers to the questions raised, I grant the relief requested by the applicants in paras. 2, 3 and 4 of their notice of motion.

I vacate the September 17/14 hearing date for the Debtor's application to strike out the 12th mortgage – which apparently has been struck from the register. Metropolis has a lot of questions to answer. Until it provides those answers, it will not have access to this Court to seek its own relief.

On July 18 I will set a timetable for the proposed motion to set aside the June 6 sale of the Property.

Any affidavit material any party wishes to place before the Court on July 18 must be served and filed no later than 3 p.m. on Tuesday, July 15/14.