

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE MR.) THURSDAY, THE 18TH DAY
JUSTICE HAINES) OF FEBRUARY, 2021

BETWEEN:

1711423 ONTARIO LIMITED Applicant

- and -

OLD MILL MARINA (KAWAGAMA) LIMITED Respondent

ORDER

THIS MOTION, brought by the 1711423 Ontario Limited (the "**Lender**"), for an order directing MNP Ltd. ("**MNP**") in its capacity as Court-appointed Receiver (in such capacity, the "**Receiver**") of the property, assets and undertakings of Old Mill Marina (Kawagama) Limited (the "**Debtor**"), to execute and file an assignment in bankruptcy on behalf of the Debtor, and for certain relief ancillary thereto, was heard this day at 330 University Avenue, Toronto Ontario.

ON READING the Second Report of the Receiver dated February 2, 2021 (the "**Second Report**"), and on hearing the submissions of counsel for the Receiver and counsel for the Lender:

1. **THIS COURT ORDERS** that the time for service of the Lender's Notice of Motion and Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the Receiver is empowered, authorized and directed to execute and file an assignment in bankruptcy on behalf of the Debtor.

3. **THIS COURT ORDERS** that the Lender is authorized and empowered to nominate MNP to act as trustee in bankruptcy of the Debtor.
4. **THIS COURT ORDERS** that upon the appointment of MNP as trustee in bankruptcy of the Debtor (the "**Trustee**"), the Trustee is authorized to send notice of the first meeting of creditors (the "**Notice**") in the manner prescribed by section 102(1) of the *Bankruptcy and Insolvency Act*, R.S.C., 1985, c. B-3 (the "**BIA**") by sending the Notice together with directions to download documents to accompany notice set out in section 102(2) of the BIA (the "**Forms**").
5. **THIS COURT ORDERS** that service of the Notice in the manner prescribed in paragraph 4 of this Order shall constitute compliance by the Trustee with section 102(2) of the BIA.



1711423 ONTARIO LIMITED

Applicant

-and-

OLD MILL MARINA (KAWAGAMA) LIMITED

Respondent

Court File No. 20-00637615-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
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**PROCEEDING COMMENCED AT
TORONTO**

ORDER

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