

**ONTARIO
SUPERIOR COURT OF JUSTICE**

**IN THE MATTER OF THE COURT-APPOINTED RECEIVERSHIP
OF STUART W. LACKEY AND CATHERINE A. LACKEY
of the Town of Almonte, in the Province of Ontario**

THE HONOURABLE) **FRIDAY, the 1st DAY**
JUSTICE WILLIAMS) **OF OCTOBER, 2021.**

BETWEEN:

THE BANK OF NOVA SCOTIA

Applicant

- and -

STUART W. LACKEY and CATHERINE A. LACKEY

Respondents

ORDER

THIS MOTION, made by MNP Ltd. ("MNP") as Court-Appointed Receiver (the "Receiver") of the assets, undertakings and properties (the "Property") of the Respondents, Stuart W. Lackey and Catherine A. Lackey (the "Debtors"), for an Order, *inter alia*:

- 1.** If necessary, an Order dispensing with service and/or declaring that service of this Motion has been validly effected on all necessary parties and declaring that this motion is properly returnable on October 1, 2021;
- 2.** Approving the Receiver's second report to the Court dated September 14, 2021 (the "Second Report"), and the activities and conduct of the Receiver and its legal counsel as described therein;



3. Approving the Receiver's interim statement of receipt and disbursements (the "Interim SRD");
4. Authorizing and directing the Receiver to make a distribution to the Applicant, The Bank of Nova Scotia ("BNS"), in the amount of \$750,000.00 from available receivership funds on account of BNS's secured claim;

was heard this day at the Courthouse, 43 Drummond Street East, Perth, Ontario.

ON READING the Notice of Motion and the Second Report, and the Factum and Authorities filed by the Receiver, and upon hearing the submissions of counsel for the Receiver, no one appearing for any of the other interested parties although duly served as appears from the Affidavit of Service of Roxanne Chapman sworn on September 17, 2021, filed,

1. **THIS COURT ORDERS AND DECLARES** that the time and method of service of the Notice of Motion, the Receiver's Second Report and the Factum and Authorities filed by the Receiver are hereby abridged and validated such that this motion has been validly served and is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT FURTHER ORDERS AND DECLARES** that the Receiver's Second Report is hereby approved and that the activities and conduct of the Receiver and that of its legal counsel as set forth in the Second Report are hereby ratified and approved.
3. **THIS COURT FURTHER ORDERS AND DECLARES** that the Receiver's Interim SRD, as set forth in the Second Report, is hereby ratified and approved.
4. **THIS COURT FURTHER ORDERS AND DIRECTS** the Receiver to pay a distribution to BNS in the amount of \$750,000.00 from available receivership funds.

Justice H. J. Williams

THE BANK OF NOVA SCOTIA
Applicant

- and -

STUART W. LACKEY and CATHERINE A. LACKEY
Respondents

Court File No.: CV-20-00000008-0000

ONTARIO SUPERIOR COURT OF JUSTICE

**IN THE MATTER OF THE COURT-APPOINTED
RECEIVERSHIP OF STUART W. LACKEY AND CATHERINE
A. LACKEY, of the Town of Almonte, in the Province of
Ontario**

Proceedings commenced at Perth, Ontario

ORDER

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