

COURT OF APPEAL FOR ONTARIO

**THE HONOURABLE JUSTICE
LAUWERS**)
)
)
**THE HONOURABLE JUSTICE
FAIRBURN**)
)
)
**THE HONOURABLE JUSTICE
ZARNETT**)

**FRIDAY, THE 15TH DAY
OF NOVEMBER, 2019**

BETWEEN:

FIREPOWER DEBT GP INC., AS AGENT

Applicant (Respondent in Appeal)

- and -

THEREDPIN, INC. and THEREDPIN.COM REALTY INC.

Respondents (Appellants)

ORDER

THIS APPEAL by the TRP Agents and Certain Underwriters of Lloyds of London (collectively, the “**Appellants**”), from the Order pronounced by the Honourable Justice Michael A. Penny of the Superior Court of Justice, dated November 30, 2018 (the “**Order**”) was heard on Friday, September 27, 2019, at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the Appeal Book and Compendium of the TRP Agents and Certain Underwriters of Lloyds of London, the Exhibit Book of the TRP Agents and Certain Underwriters of Lloyds of London, the Joint Factum and Book of Authorities of the TRP Agents and Certain

Underwriters of Lloyds of London, the Joint Compendium of the Respondent in Appeal and Trilogy Growth Fund, L.P., the Joint Factum and Book of Authorities of the Respondent in Appeal and Trilogy Growth Fund, L.P., and on hearing the submissions of counsel for the TRP Agents, counsel for Certain Underwriters of Lloyds of London, counsel for the Respondent in Appeal, counsel for Trilogy Growth Fund, L.P. and counsel for the receiver, MNP Ltd., and reasons for judgment having been reserved till this day.

1. **THIS COURT ORDERS** that the appeal of the TRP Agents and Certain Underwriters of Lloyds of London from the Order be and is hereby dismissed.
2. **THIS COURT ORDERS** that the TRP Agents and Certain Underwriters of Lloyds of London shall pay to the Respondent in Appeal and to Trilogy Growth Fund, L.P., their costs of the appeal fixed in the amounts of \$20,000 and \$6,000 inclusive of disbursements and applicable taxes.

This order bears interest at the rate of 3.0% per annum effective Friday, November 15, 2019.

ENTERED AT / INSCRIPT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

JAN 06 2020

PER / PAR: 



Registrar

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FIREPOWER DEBT GP INC., AS AGENT

THEREDPIN, INC. and THEREDPIN.COM REALTY INC.

Applicant (Respondent in Appeal)

and

Respondents (Appellants)

Court File No. C66366

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Proceedings commenced at TORONTO

ORDER

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