

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

FIREPOWER DEBT GP INC., AS AGENT

Applicant

and

THEREDPIN, INC. and THE REDPIN.COM REALTY INC.

Respondents

**IN THE MATTER OF SUBSECTION 243(1) OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF THE
COURTS OF JUSTICE ACT, R.S.O. 1990, c. C-43, AS AMENDED**

SUPPLEMENTARY MOTION RECORD

(returnable October 22, 2018)

Date: October 18, 2018

AIRD & BERLIS LLP

Barristers & Solicitors
Brookfield Place
181 Bay Street, Suite 1800
Toronto, ON M5J 2T9

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Lawyers for MNP Ltd.

TO: ATTACHED SERVICE LIST

INDEX

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I N D E X

Tab Document

1. Supplementary Notice of Motion

 Schedules to Supplementary Notice of Motion
 - (a) Proposed Activities Approval Order
 - (b) Proposed Costs Allocation and Distribution Order
2. Second Supplementary Report (previously filed)
3. Email string from the Royal Bank of Canada
4. Service List

Tab 1

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

FIREPOWER DEBT GP INC., AS AGENT

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INSOLVENCY ACT*, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF THE
COURTS OF JUSTICE ACT, R.S.O. 1990, c. C-43, AS AMENDED**

**SUPPLEMENTARY NOTICE OF MOTION
(returnable October 22, 2018)**

MNP Ltd. (“MNP”) in its capacity as the Court-appointed receiver (the “**Receiver**”), of the undertaking, property and assets of TheRedPin, Inc. (“**TRP**”) and The Redpin.Com Realty Inc. (“**TRP Realty**” and, together with TRP, the “**Debtors**”), will make a motion to a judge presiding over the Commercial List on Monday, October 22, 2018 at 10:00 a.m., or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

1. **THE MOTION IS FOR:**

- (a) an Order of the Court, in substantially the form set out as **Schedule “A”** hereto (the “**Activities Approval Order**”):

- (i) approving the Receiver's Second Report dated September 10, 2018 (the "**Second Report**"), the Supplementary Report to the Second Report dated September 28, 2018 (the "**First Supplementary Report**") and the Second Supplementary Report to the Second Report dated October 11, 2018 (the "**Second Supplementary Report**") and the activities of the Receiver described in each, excluding anything to be approved in the Costs Allocation and Distribution Order (as defined in paragraph 1(b) below); and
 - (ii) authorizing, *nunc pro tunc*, the payment of the Receiver's Net HST Obligation from the Third-party Commissions funds in the Commissions Account (as such terms are defined below in paragraphs 2(j), 2(d) and 2(p), respectively); and
- (b) should it be determined upon hearing of the Receiver's other motion returnable October 22, 2018 (the "**Advice and Direction Motion**") that one or more of the Competing Parties (as defined paragraph 2(g) below) has a beneficial claim to all or part of the Third-party Commissions, an Order of the Court, in substantially the form set out as **Schedule "B"** hereto (the "**Costs Allocation and Distribution Order**"),
- (i) approving the methodology for the allocation of certain costs of the administration of the receivership to the respective successful Competing Parties; and
 - (ii) approving and authorizing the Receiver to make distributions to such Competing Parties net of the respective parties' portion of the Proposed Standard Cost and the Administrative Disbursement Fee (as such terms are defined below in paragraphs 2(t) and 2(x), respectively) without further Order of this Court;

2. **THE GROUNDS FOR THE MOTION ARE:**

Background

- (a) pursuant to the Order of the Honourable Justice Hainey made June 14, 2018 (the “**Receivership Order**”), MNP was appointed as receiver, of the undertaking, property and assets of the Debtors (the “**Property**”);
- (b) the Receiver has filed with the Court:
 - (i) its Second Report in support of the Advice and Direction Motion outlining, among others things:
 - (1) the background to and circumstances surrounding the Debtors’ agreements and practices with regard to collection and distribution of commissions paid on purchase and sale transactions; and
 - (2) the dispute between various creditors or creditor classes over commission amounts collected or to be collected by the Receiver;
 - (ii) its First Supplementary Report providing updated information on certain issues raised in the Second Report as well as additional information identified since the filing of the Second Report; and
 - (iii) its Second Supplementary Report made in support of the within motion;
- (c) as at the date of the Receivership Order, there were approximately \$6,650,000 in commissions receivables due to TRP Realty (the “**Commissions Receivables**”) which are not expected to be fully collected until 2023;
- (d) of the Commissions Receivables, approximately \$3,700,000 (the “**Third-party Commissions**”) are owed to:
 - (i) brokerages co-operating on sale transactions (the “**Outside Brokerages**”);

- (ii) TRP Realty's licensed/registered salespersons (the "**TRP Salespersons**");
 - (iii) assignees of TRP Salespersons (the "**Assignees**"); or
 - (iv) buyers under TRP Realty's "cashback" program (the "**Cashback Buyers**").
- (e) various TRP Salespersons have asserted that the Third-party Commissions are subject to a trust in their favour;
- (f) the Underwriters of Lloyds, who insure certain of the TRP Salespersons' Third-party Commissions, has also asserted that the Third-party Commissions are subject to a trust;
- (g) the Applicant, Firepower Debt GP, Inc. as Agent ("**Firepower**") and Trilogy Growth Fund LP ("**Trilogy**", and together with Firepower, the "**Secured Creditors**") have asserted that, to the extent the Third-party Commissions are not subject to trust(s) in favour Outside Brokerages, TRP Salespersons, Assignees and/or Cashback Buyers, the Third-party Commissions are subject to the Secured Parties' respective security interests;
- (h) as set out in the Receiver's Notice of Motion dated September 10, 2018, the Receiver will bring the Advice and Direction Motion, also returnable October 22, 2018, for advice and direction as to whether to treat any Third-party Commissions as trust funds for the benefit of Competing Parties other than the Secured Creditors;

HST Remittances

- (i) in accordance with the Receivership Order, the Receiver is controlling TRP Realty's receipts and disbursements, including the collection of HST;

- (j) the receiver is responsible for remitting to Canada Revenue Agency (“CRA”) the net tax (the “**Receiver’s Net HST Obligation**”) representing the difference between the HST collected on all commissions due to TRP Realty (the “**Total Commissions**”) and any HST paid and payable to the Competing Parties (the “**ITCs**”);
- (k) prior to the receivership, TRP Realty calculated the net tax on a cash (rather than accrual) basis as the difference between
 - (i) actual HST cash collected on Total Commissions in a period; and
 - (ii) all ITCs claimed in connection with commission payments to Outside Brokerages, TRP Salespersons and Assignees;
- (l) historically, the payment of commissions and the resulting generation of ITCs occurred in the same period, resulting in a lower, net tax amount being remitted to CRA;
- (m) the net tax was then paid from TRP Realty’s general operating account, since the net amount due to CRA represented only the HST on the amount TRP received as its share of the Total Commissions;
- (n) since the date of the Receivership Order, no commissions have been paid to the Outside Brokerages, TRP Salespersons or Assignees pending resolution of the competing claims to the Third-party Commissions through the Advice and Direction Motion;
- (o) no ITCs have therefore been generated to be claimed or setoff against HST collected by the Receiver;
- (p) in Order to properly match the payment of HST to CRA with the HST actually collected, the Receiver had, as at August 31, 2018, paid a total of \$129,492.12 to

CRA from the separate TRP Realty bank account into which Total Commissions are received and, subsequently, paid out (the “**Commissions Account**”) from;

- (q) since the funds in the Commissions Account include Third-party Commissions subject to the Advice and Direction Motion, the Receiver seeks this Court’s approval of its HST remittances, *nunc pro tunc*;

Allocation of Costs and Distributions

- (r) if any of the Competing Parties are determined by this Court (upon hearing of the Advice and Direction Motion) to be beneficiaries of a trust over Third-party Commissions, and thus to be first-priority claimants to the same, such successful Competing Parties should bear a portion of the Receiver’s professional fees and costs in connection with the set-up, collection and distribution of the Commissions Receivables (the “**Commissions Costs**”) as they will benefit from the same;
- (s) since the collection of the Commissions Receivables is expected to run until 2023, it is not reasonable to wait until all Commissions Receivables are collected before allocating the Commissions Costs;
- (t) in order to ensure a fair and equitable allocation of the Commissions Costs, the Receiver proposes standard costs for each of three categories of Commissions Receivable, to be applied on a per transaction basis (collectively, the “**Proposed Standard Cost**”), as summarized at Appendix “A” to the Second Supplementary Report;
- (u) it is also not reasonable to wait until all Commissions Receivables are collected in 2023 before distributing any received Commissions Receivables to the Competing Parties found (upon hearing of the Advice and Direction Motion) to have the highest-ranking claims thereto;

- (v) the Receiver proposes that distributions of Commissions Receivables be made as soon as practically possible after collection thereof with respect to each transaction;
- (w) the Receiver further proposes that the distribution to any Competing Party with a beneficial interest in the Third-party Commissions (the “**Party’s Share of Commissions**”) will be based on the relevant trade record sheets reflected in TRP Realty’s books and records unless otherwise mutually agreed upon by the applicable Competing Parties and the Receiver;
- (x) in addition to the Proposed Standard Cost, the Receiver proposes that a flat fee of \$35 plus HST per distribution (the “**Administrative Disbursement Fee**”) be charged to defray the Receiver’s out-of-pocket costs related to collection and disbursement of the Commissions Receivables;
- (y) the Receiver proposes that the portions of the Third-party Commissions to be distributed to Competing Parties with beneficial interests therein (as to be determined by this Court upon hearing of the Advice and Direction Motion) shall be calculated as follows:
 - (i) in the case of TRP Salespersons and Assignees, the Party’s Share of Commissions less such party’s share of the Proposed Standard Cost (plus HST) and less the Administrative Disbursement Fee;
 - (ii) in the case of Outside Brokerages, the Party’s Share of Commissions less the Administrative Disbursement Fee; and
 - (iii) in the case of Cashback Buyers, the Party’s Share of Commissions less the Administrative Disbursement Fee;

- (z) given the small percentages of the Third-party Receivables owed to Outside Brokerages and Cashback Buyers, the Receiver does not propose to deduct any portion of the Proposed Standard Cost from distributions to such parties;
- (aa) the Receivership Order directs and empowers the Receiver to report to the Court in respect of these proceedings at such times and intervals as the Receiver may deem appropriate;
- (bb) the other grounds set out in the Second Supplementary Report;
- (cc) rules 1.04 and 37 of the *Rules of Civil Procedure*, R.S.O. 1990, Reg. 194, as amended; and
- (dd) such further and other grounds as counsel may advise and this Honourable Court may permit.

3. **THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the motion:

- (a) the Second Supplementary Report;
- (b) email string from the Royal Bank of Canada with respect to the naming of the TRP Realty bank account for Comerica Bank at the Royal Bank and the naming of its replacement account at the Royal Bank; and
- (c) such further and other material as counsel may submit and this Honourable Court may permit.

Date: October 18, 2018

AIRD & BERLIS LLP
Barristers & Solicitors
Brookfield Place
181 Bay Street, Suite 1800
Toronto, Ontario M5J 2T9

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E-mail: sbabe@airdberlis.com

Lawyers for MNP Ltd.

TO: ATTACHED SERVICE LIST

FIREPOWER DEBT GP INC., AS AGENT

and

THEREDPIN, INC. and THE REDPIN.COM REALTY INC.

Applicant

Respondents

Court File No. CV-18-599644-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceedings commenced at Toronto

SUPPLEMENTARY NOTICE OF MOTION

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Lawyers for MNP Ltd.

Tab A

**ONTARIO
SUPERIOR COURT OF JUSTICE**

COMMERCIAL LIST

THE HONOURABLE) MONDAY, THE 22nd DAY
)
JUSTICE) OF OCTOBER, 2018

BETWEEN:

FIREPOWER DEBT GP INC., AS AGENT

Applicant

and

THEREDPIN, INC. and THE REDPIN.COM REALTY INC.

Respondents

IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O 1990, C. C-43, AS AMENDED

ORDER

THIS MOTION, made by MNP Ltd. (“MNP”) in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of TheRedPin, Inc. (“**TRP**”) and The Redpin.Com Realty Inc. (“**TRP Realty**” and, together with TRP, the “**Debtors**”) was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING Receiver’s Second Report to the Court dated September 10, 2018 (the “**Second Report**”), the Receiver’s Supplementary Report to the Second Report dated September 28, 2018 (the “**First Supplementary Report**”) and the Receiver’s Second Supplementary Report to the Second Report dated October 11, 2018 (the “**Second Supplementary Report**”) and on hearing the submissions of counsel for the Receiver, counsel for Firepower Debt GP Inc., counsel for Trilogy Growth Fund LP, counsel for the TRP Agents, counsel for Underwriters of

Lloyds and no one appearing for any other person on the service list, although properly served as appears from the affidavit of <*> sworn October <*>, 2018 filed:

1. **THIS COURT ORDERS** that the time for service and filing of the Receiver's Supplementary Notice of Motion (the "**Supplementary Notice of Motion**") and Supplementary Motion Record, each dated October 18, 2018, 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 Second Report, the First Supplementary Report and the Second Supplementary Report be and are hereby each approved and the activities of the Receiver described in each be and are hereby approved except for any activities to be approved in the Costs Allocation and Distribution Order (as defined in the Supplementary Notice of Motion).
3. **THIS COURT ORDERS** that the payment of the Receiver's Net HST Obligation from the Third-party Commissions funds in the Commissions Account (as such terms are defined in the Supplementary Notice of Motion) be and is hereby authorized and approved, *nunc pro tunc*,

Tab B

**ONTARIO
SUPERIOR COURT OF JUSTICE**

COMMERCIAL LIST

THE HONOURABLE)
) _____ DAY, THE _____ DAY
JUSTICE)
) OF _____, 2018

BETWEEN:

FIREPOWER DEBT GP INC., AS AGENT

Applicant

and

THEREDPIN, INC. and THE REDPIN.COM REALTY INC.

Respondents

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**ORDER
(COSTS ALLOCATION AND DISTRIBUTION)**

THIS MOTION, made by MNP Ltd. (“MNP”) in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of TheRedPin, Inc. (“**TRP**”) and The Redpin.Com Realty Inc. (“**TRP Realty**” and, together with TRP, the “**Debtors**”) was heard this day at 330 University Avenue, Toronto, Ontario.

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and on hearing the submissions of counsel for the Receiver, counsel for Firepower Debt GP Inc., counsel for Trilogy Growth Fund LP, counsel for TRP Agents, counsel for Underwriters of Lloyds and no one appearing for any other person on the service list, although properly served as appears from the affidavit of <*> sworn October <*>, 2018 filed:

1. **THIS COURT ORDERS** that:

- (a) the methodology for calculating the Proposed Standard Cost and the Administrative Disbursement Fee (as such terms are defined in the Second Supplementary Report); and
- (b) the Receiver's proposed allocation, as set out in the Second Supplementary Report, of the Proposed Standard Cost and the Administrative Disbursement Fee amongst Competing Parties receiving distribution of funds collected on Commissions Receivables (as such terms are defined in the Second Supplementary Report),

be and are hereby approved.

2. **THIS COURT ORDERS** that the Receiver is authorized, without further Order of this Court, to make distributions of Commissions Receivables funds to Competing Parties in accordance with the priorities set out in the [Order] of Justice <*> made <*>, 2018, net of the applicable portion of the Proposed Standard Cost and the Administrative Disbursement Fee, and all such distributions be and are hereby approved.

Tab 2

SECOND SUPPLEMENTARY REPORT

(previously filed)

Tab 3

Harry Fogul

From: Alan Shiner <Alan.Shiner@mnt.ca>
Sent: October-18-18 12:22 PM
To: Harry Fogul
Subject: Fwd: THEREDPIN.COM Realty - 06019-1010719

RBC account confirmed.

Sent from my iPhone

Begin forwarded message:

From: "Seales, Nigel" <nigel.seales@rbc.com>
Date: October 18, 2018 at 12:04:03 PM EDT
To: "alan.shiner@mnt.ca" <alan.shiner@mnt.ca>
Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Mr. Shiner hope this is the required information.
Regards, Nigel

Nigel Seales | Account Officer | Special Loans and Advisory Services | **Royal Bank of Canada** | 222 Bay Street 24th Floor, Toronto, On, M5K 1G8 Canada | T.416-955-2517 | F.416-974-0528 | E-mail: nigel.seales@rbc.com

From: Keller, Simon
Sent: 2018, October, 18 12:02 PM
To: Madan, Manjula (RBC I&TS); Seales, Nigel
Subject: RE: THEREDPIN.COM Realty - 06019-1010719

Hi Nigel,

I can confirm that the accounts that were opened with Commercial Banking (06702-1086388), following the closure of the Comerica accounts were not opened as a true trust. This account specifically was nicknamed "Realty Commission", and not opened as a trust.

Thanks,

Simon

Simon C. Keller | Branch Manager – Broadview & Danforth | **RBC Royal Bank** | 739 Broadview Ave, Toronto, ON, M4K 2P6 | Transit 05452 | C. 647-627-2405

From: Madan, Manjula (RBC I&TS)
Sent: 2018, October, 18 11:56 AM
To: Seales, Nigel
Cc: Keller, Simon
Subject: RE: THEREDPIN.COM Realty - 06019-1010719

Hello Nigel,

Please connect with Simon as I have already responded to him in this regard.

Thanks and regards,

Manjula Madan

Client Service Manager, Banks, Brokers and Exchanges
T.+1416 974 1242 | F.+14169740640

RBC Investor & Treasury Services

155 Wellington Street West, 10th Floor, Toronto, ON M5V 3L3, Canada
rbcits.com

From: Seales, Nigel
Sent: 2018, October, 18 11:30 AM
To: Madan, Manjula (RBC I&TS)
Cc: alan.shiner@mnp.ca
Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Hi Manjula good morning – As you can see from this email, there is a bit of urgency to Mr. Shiner's inquiry.

Can you please respond.

Much appreciated.

Thanks, Nigel

Nigel Seales | Account Officer | Special Loans and Advisory Services | **Royal Bank of Canada** | 222 Bay Street 24th Floor, Toronto, On, M5K 1G8 Canada | T.416-955-2517 | F.416-974-0528 | E-mail: nigel.seales@rbc.com

From: Alan Shiner [<mailto:Alan.Shiner@mnp.ca>]
Sent: 2018, October, 18 11:09 AM
To: Seales, Nigel
Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Nigel

Further to my voice message we have a deadline of 1:00pm today to file with the court information on the bank accounts. Would really appreciate if you could you please answer my question below in that time frame.

Thank you.

Alan

From: Alan Shiner
Sent: October 18, 2018 10:39 AM
To: 'Seales, Nigel' <nigel.seales@rbc.com>
Subject: RE: THEREDPIN.COM Realty - 06019-1010719

Nigel

Please confirm that the subsequent RBC REPPIN REALTY account 0002154 06702 003 108638 follows the same as Comerica.

Thanks

Alan

From: Seales, Nigel <nigel.seales@rbc.com>
Sent: October 18, 2018 10:23 AM
To: Alan Shiner <Alan.Shiner@mdp.ca>
Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Mr. Shiner as discussed.
Regards, Nigel

Nigel Seales | Account Officer | Special Loans and Advisory Services | **Royal Bank of Canada** | 222 Bay Street 24th Floor, Toronto, On, M5K 1G8 Canada | T.416-955-2517 | F.416-974-0528 | E-mail: nigel.seales@rbc.com

From: Keller, Simon
Sent: 2018, October, 18 8:14 AM
To: Seales, Nigel; Chung, Julia
Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Hi Nigel,

We've gotten to the bottom of this!

It's been confirmed that the above mentioned account number was never set-up as a "trust", rather it was only nicknamed a trust account.

Can you please relay this information to Alan Shiner, as I understand you have already been in touch with him.

Thanks in advance,

Simon

Simon C. Keller | Branch Manager – Broadview & Danforth | **RBC Royal Bank** | 739 Broadview Ave, Toronto, ON, M4K 2P6 | Transit 05452 | C. 647-627-2405

From: Madan, Manjula (RBC I&TS)
Sent: 2018, October, 17 4:06 PM
To: Keller, Simon
Subject: RE: THEREDPIN.COM Realty - 06019-1010719

Hello Simon,

With regards to your below enquiry, Comerica has advised as below:

'This account is just listed as a trust account as an account name/identifier.'

Thanks and regards,

Manjula Madan

Client Service Manager, Banks, Brokers and Exchanges

T. +1416 974 1242 | F. +14169740640

RBC Investor & Treasury Services

155 Wellington Street West, 10th Floor, Toronto, ON M5V 3L3, Canada

rbcits.com

From: Guzman, Bertha (RBC I&TS)

Sent: 2018, October, 17 7:50 AM

To: Madan, Manjula (RBC I&TS); D'Souza, Sharmila (RBC I&TS)

Cc: Keller, Simon

Subject: FW: THEREDPIN.COM Realty - 06019-1010719

Good morning Ladies,

Can you please refer to the e-mail below and let me know if any of you is in charge of this account or should I check with Danny, on Sebastian's absence?

Many thanks,

From: Keller, Simon

Sent: 2018, October, 16 4:55 PM

To: Becerra, Sebastian (RBC I&TS) <sebastian.s.becerra@rbc.com>

Cc: Guzman, Bertha (RBC I&TS) <bertha.guzman@rbc.com>; Seales, Nigel <nigel.seales@rbc.com>;

Chung, Julia <julia.chung@rbc.com>

Subject: THEREDPIN.COM Realty - 06019-1010719

Hi Sebastian and Bertha,

I hope you're well.

I'm not sure if you recall, but the above client held a relationship with Comerica/RBC through our correspondent banking program, and transitioned the relationship to RBC Commercial Banking back in January 2018 when I was the CAM for the relationship (I've since moved on).

Since this transition THEREDPIN.COM has declared bankruptcy, and the client wanted to confirm whether or not a/c 06019-1010719 was in fact opened as a "true trust" or just listed as a trust account as an account name/identifier. Is this something you can confirm for us? I have cc'd the existing Account Manager – Julia Chung and Nigel Seales from RBC Special loans whom has been working with the receiver.

To provide full transparency, FirePower Capital has acquired the Assets/IP of THEREDPIN.COM (FirePower also provided the collateral/guarantee for the Visa facility held with RBC). See snippet from original documentation.

<< OLE Object: Picture (Device Independent Bitmap) >>

Thank you in advance for your attention to this.

Should you have any questions or need any further information please don't hesitate to reach out.

Thanks in advance,

Simon

Simon C. Keller | Branch Manager – Broadview & Danforth | **RBC Royal Bank** | 739 Broadview Ave, Toronto, ON, M4K 2P6 | Transit 05452 | C. 647-627-2405

If you received this email in error, please advise the sender (by return email or otherwise) immediately. You have consented to receive the attached electronically at the above-noted email address; please retain a copy of this confirmation for future reference.

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If you received this email in error, please advise the sender (by return email or otherwise) immediately. You have consented to receive the attached electronically at the above-noted email address; please retain a copy of this confirmation for future reference.

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Tab 4

SERVICE LIST

(Current as of August 3, 2018)

TO: **CHAITONS LLP**
5000 Yonge Street, 10th Floor
Toronto, ON M2N 7E9

Harvey Chaiton
Tel: 416.218.1119
Fax: 416.218.1849
Email: harvey@chaitons.com

*Lawyers for FirePower Debt GP Inc., as Agent
FirePower GAP Debt LP, by its general partner FirePower Debt GP Inc.
FirePower Asset Management Inc.*

AND TO: **AIRD & BERLIS LLP**
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FIREPOWER DEBT GP INC., AS AGENT

Applicant

and

THEREDPIN, INC. and THE REDPIN.COM REALTY INC.

Respondents

Court File No. CV-18-599644-00CL

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