

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Comfort Capital Inc et al
Plaintiff(s)
AND
Yevetsian et al
Defendant(s)

Case Management Yes No by Judge: Chiappetta

Counsel	Telephone No:	Facsimile No:
<u>see attached</u>		

- Order Direction for Registrar (No formal order need be taken out)
- Above action transferred to the Commercial List at Toronto (No formal order need be taken out)
- Adjourned to: _____
- Time Table approved (as follows):

There are four motions before the court today.

1. Clara mount Resurf & Spa Ltd - Appeal from the Notice of the disallowance of claim

The Appellant requests an adjournment having received the 9th Report of the Receiver. The appeal is adjourned to June 12, 2019 before me.

June 6, 2019
Date

Chiappetta
Judge's Signature

Additional Pages 3

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

2 Brauti Thorning LLP's motion to release funds

As this motion is directly affected by the above mentioned Notice of Disallowance - Appeal, it is too ~~late~~ adjourned to June 12, 2019. Before me. Counsel ^{for the moving party} are to seek instructions to have the funds paid from 97 Bridge.

3. Morteza Katchbian's motion for a determination of ownership of 2435045 Ontario Inc, a company whose sole purpose was to advance funds secured against a condo at 2 Toronto Street, Barrie, ON.

The evidentiary record is replete with conflicting allegations of fraudulent conduct and falsification of documents. The court is unable to make findings of fact on the paper of record. A 2-day mini-trial is required to assess

**Superior Court of Justice
Commercial List**

FILE/DIRECTION/ORDER

Judges Endorsment Continued

the credibility of the parties involved and the witnesses relied upon. The 2 day mini-trial has been scheduled to take place on Sept 9 and 10, 2019 before me, subject to availability. No further evidence shall be served, filed or relied upon but for further order of this court. Counsel are to re-visit the issue of costs efficiency and the value of the property with their clients, considering the procedural way forward.

4. Canada Investment Corporation, Canada Capital Corporation Inc, 2399029 Ontario Inc., 2457674 Ontario Inc and Terry Wilson (the Moving Parties) motion to disallow the claims of Currah Capital Corporation ^(the Currah claim) and Stanbar Services Limited, Janodee Investments Ltd, Meadow Shire Investments Ltd, Regard Investments Ltd, #1563503 Ontario Limited, Beaver Pond Investments Ltd, the Canada Trust Company, Rita Rosenberg and 527540 Ontario

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsment Continued

Limited (the "Stanbarr Parties") in the claims process for not being a direct claim as defined in the Claims Process Ground Rules.

Counsel have agreed to adjourn the Stanbarr Claim.

Counsel for Currah asks to adjourn this matter as he was served only 2 days ago and has not had the time to prepare, serve and file responding materials. The adjournment is granted. If deemed appropriate, Justice Haivry shall schedule the motion before me, if available, at the case conference scheduled before him on June 27, 2019. Currah shall serve and file responding materials on or before June 20, 2019. But for the completion of Ms. Mirzadeh's examination by HJLT and Stanbarr, there shall be no further examinations until this motion is resolved.