

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

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

THE HONOURABLE MR. )  
JUSTICE McEWEN )  
TUES DAY, THE  
17<sup>th</sup> DAY OF APRIL, 2018

BETWEEN:

**ROMSPEN INVESTMENT CORPORATION**

Applicant

- and -

**206 BLOOR STREET WEST LIMITED**

Respondent



**DISCHARGE ORDER**

THIS MOTION, made by Rosen Goldberg Inc. in its capacity as the Court-appointed receiver (the “Receiver”) of the undertaking, property and assets of 206 Bloor Street West Limited (the “Debtor”), for an order:

1. approving the activities of the Receiver as set out in its First Report dated October 31, 2016 (the “First Report”) and its Second Report dated April 10, 2018 (the “Second Report Report”);
2. approving the fees and disbursements of the Receiver and its counsel;

3. approving the distribution of the remaining proceeds available in the estate of the Debtor;
4. discharging Rosen Goldberg Inc. as Receiver of the undertaking, property and assets of the Debtor; and
5. releasing Rosen Goldberg Inc. from any and all liability, as set out in paragraph 6 of this Order,

was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Report, the affidavits of the Receiver and its counsel as to fees (the "Fee Affidavits"), and on hearing the submissions of counsel for the Receiver and counsel for Romspen Investment Corporation, no one else appearing although served as evidenced by the Affidavit of Harold Rosenberg sworn April 11, 2018 and the Affidavit of Theron Bartley sworn April 13, 2018, filed;

1. THIS COURT ORDERS that the time for service of the Receiver's 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 activities and proposed activities of the Receiver, as set out in the First Report and the Second Report, are hereby approved.
3. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Second Report and the Fee Affidavits, are hereby approved.
4. THIS COURT ORDERS that, after payment of the fees and disbursements herein approved, and repayment of the Receiver's borrowings, the Receiver shall pay the monies remaining in its hands to Romspen Investment Corporation.
5. THIS COURT ORDERS that upon payment of the amounts set out in paragraph 4 hereof, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit

of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of Rosen Goldberg Inc. in its capacity as Receiver.

6. THIS COURT ORDERS AND DECLARES that Rosen Goldberg Inc. is hereby released and discharged from any and all liability that Rosen Goldberg Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of Rosen Goldberg Inc. while acting in its capacity as Receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, Rosen Goldberg Inc. is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.



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

APR 17 2018

PER / PAR:



**ROMSPEN INVESTMENT CORPORATION**  
Applicant

-and-  
Respondent

**206 BLOOR STREET WEST LIMITED**

Court File No. CV-16-11529-00CL

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST )**

PROCEEDING COMMENCED AT  
TORONTO

**DISCHARGE ORDER**

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**Lawyers for Rosen Goldberg Inc.,**  
**Court-appointed Receiver**