

SF. Dunphy J.

For reasons to be delivered I find that the Home Trust mortgage was discharged upon acceptance of the cheque for that purpose on Aug 10 2014. It follows that Home Trust had nothing to assign on May 5 2015 that is binding as against others because nothing was then owing.

There will be a declaration to the foregoing effect and a direction to the Receiver to pay down the 2nd mortgage (App. Hurdelman) in full. My order ^{re payment} will be stayed until Nov 30 to enable Pillar Capital to seek a stay at the Court of Appeal if so advised.

