

Court File Number: CV-21-00660056-0001

Superior Court of Justice  
Commercial List

FILE/DIRECTION/ORDER

Dorn Capital Corporation et al.  
Plaintiff(s) Applicants

AND

Mill Street Ventures GP Ltd.  
Defendant(s) Respondents

Case Management  Yes  No by Judge: \_\_\_\_\_

Counsel	Telephone No:	Facsimile No:
<u>E. Golden</u>		
<u>B. Jankovics</u> <u>O. Chaimovitch</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): \_\_\_\_\_

Based on the material filed, I am satisfied that it is both just and convenient to appoint a non-possessory interim receiver of the respondent's property at 205 Mill Street Angus, Ontario, in accordance with the draft order filed. The respondent consents to the appointment and the first mortgagee, DUCA Financial Services Credit Union Ltd. (DUCA) does not oppose.

The order is without prejudice to DUCA and the DUCA Security and DUCA's rights thereunder including without

April 20/21  
Date

[Signature]  
Judge's Signature

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**Judges Endorsment Continued**

limitation its right to bring an application for the appointment of a receiver, subject to (i) the Applicant's rights to oppose DuCA's enforcement of its security; (ii) DuCA's requirement to leave to bring a motion to lift the stay in the order; and (iii) such motion to lift the stay not being brought within 30 days of today's date unless there is a material adverse change in circumstance regarding the basis on which the order herein was issued. If DuCA is granted leave to appoint a receiver, the applicants will not oppose nisi Spengel Inc. being appointed as the receiver.

The Confidential Exhibits shall be sealed until further order of the court. Based on the material filed, I am satisfied that the test in *Sicora Club of Canada v. Canada (Minister of Finance)*, 2002 5 C.T.R. 41; [2002] 2 S.C.R. 522, has been met. The Confidential Exhibits shall be held by counsel for the applicants until they can be sealed & filed with the court.

The receiver shall report to the court on May 14, 2021 at 9:30 am (30 min). Date fixed.

Order signed by me.