

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

)

WEDNESDAY, THE 7th

JUSTICE PATTILLO

)

DAY OF JULY, 2021

)

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

B E T W E E N:

C & K MORTGAGE SERVICES INC.

Applicant

- and -

2624827 ONTARIO INC.

Respondent

DISCHARGE ORDER

THIS MOTION, made by Rosen Goldberg Inc. in its capacity as the Court-appointed receiver (the “**Receiver**”) of all of the assets, undertakings and properties of the Respondent 2624827 Ontario Inc. (the “**Debtor**”) acquired for, or used in relation to a business carried on by the Debtor, including the lands and premises municipally known 105 Main Street in Parkhill, Ontario (the “**Property**”) and all proceeds thereof, for an order

1. approving the activities of the Receiver as set out in the First Report of the Receiver dated July 2, 2021 (the “**First Report**”);
2. approving the fees and disbursements of the Receiver and its counsel;

3. authorizing and directing the Receiver to distribute the remaining proceeds available in the estate of the Debtor;
4. discharging Rosen Goldberg Inc. as Receiver of the assets, undertakings and properties of the Debtor; and
5. releasing Rosen Goldberg Inc. from any and all liability, as set out in paragraph 5 of this Order,

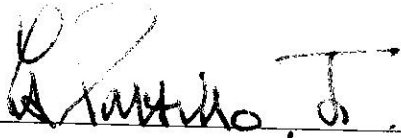
was heard this day by judicial video conference due to the COVID-19 pandemic.

ON READING the First Report, the fee affidavit of Brahm Rosen, President of Rosen Goldberg Inc., sworn June 30, 2021, the affidavit of David Preger of Dickinson Wright LLP sworn July 2, 2021 the affidavit of Howard Manis of Macdonald Sager Manis LLP sworn June 30, 2021 (collectively, the "**Fee Affidavits**"), and on hearing the submissions of counsel for the Receiver, no one else appearing although served as appears from the affidavit of Janet Nairne sworn July 2, 2021, filed:

1. THIS COURT ORDERS that the First Report and the activities described therein, be and are hereby approved.
2. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the First Report and the Fee Affidavits, be and are hereby approved.
3. THIS COURT ORDERS that the Receiver is hereby authorized and directed to distribute the net proceeds from the Transaction, as that term is defined in the First Report, to C & K Mortgage Services Inc., after payment of all Receiver's fees, disbursements and other expenses.
4. THIS COURT ORDERS that upon payment of the amounts set out in paragraph 3 hereof, the Receiver shall be discharged as Receiver of the assets, undertakings and properties 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.

5. 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.

6. THIS COURT ORDERS that notwithstanding Rule 59.05, this Order is effective from the date that it is made, and is enforceable without any need for entry and filing. In accordance with Rule 77.07(6) and 1.04, no formal order need be entered and filed unless an appeal or a motion for leave to appeal is brought to an appellate court. Any party may nonetheless submit a formal order for original signing, entry and filing when the Court returns to regular operations.



C & K MORTGAGE SERVICES INC.
Applicant

-and- **2624827 ONTARIO INC.**
Respondent

Court File No. CV-21-00660167-00CL

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PROCEEDING COMMENCED AT TORONTO

DISCHARGE ORDER

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