

ZEIFMAN PARTNERS INC.,
IN ITS CAPACITY AS RECEIVER OF THE PROPERTY
KNOWN MUNICIPALLY AS 40 PARK LANE CIRCLE

and DAVID AIELLO

Court File No.: CV-15-11148-00CL

Plaintiff

Defendant

December 14/18

S. De Caria

The defendant has been served with the motion and does not appear.

The record discloses that the plaintiff/s suffered the following losses:

1. a loss of \$2.7 million on the resale; and
2. additional expenses totalling \$979,039.40 after April 4, 2014 in respect of the property and legal expenses.

In addition, the buyer's premium was payable to Concourse who has assigned the benefit of this claim to the Receiver. The amount of this premium is \$1.22 million.

Accordingly, the defendant has established losses totalling \$4,899,039.40 plus pre-judgment interest against which there is a credit of \$1.31 million plus interest thereon represented by the deposits.

Accordingly, order to go in the form attached including costs of on a substantial indemnity basis
PTD

**ONTARIO
SUPERIOR COURT OF JUSTICE -
COMMERCIAL LIST**

Proceeding commenced at Toronto

**MOTION RECORD
(RETURNABLE OCTOBER 18, 2018)
VOLUME 1**

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Lawyers for the Plaintiff



of \$145,351.43. In this case, a substantial credermity
award is appropriate to reflect the defendant's a transien
delaying and failing to comply with numerous orders
issued in this proceeding.

W. Ben-Hur.