

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Madam Justice
Conway

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TUESDAY, THE 8TH
DAY OF DECEMBER, 2015

BETWEEN:
(Court Seal)

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

Plaintiff

- and -

DAVID AIELLO

Defendant



ORDER

THIS MOTION, made by the Plaintiff, without notice, for an Order pursuant to Rule 16.04 of the *Rules of Civil Procedure* for substituted service of the Statement of Claim issued October 20, 2015 (the "**Statement of Claim**") on the Defendant, David Aiello ("**Aiello**"), was heard this day at the court house, 330 University Avenue, 8th Floor, Toronto, Ontario, M5G 1R7.

ON READING the Notice of Motion, the Affidavit of Chloe Eng sworn December 7, 2015 and the exhibits thereto, and on hearing the submissions of counsel for the Plaintiff,

1. **THIS COURT ORDERS** that service of the Statement of Claim on Aiello shall be effected by delivery as follows:

- (a) By electronic mail to david.aiello@bioadvantex.com;

- (b) By regular mail to the attention of Rabbi Asher Vale, Director Beis Din, Vaad Harabonim of Toronto at 129 McGillivray Avenue, Toronto, Ontario M5M 2Z7;
- (c) By electronic mail to the attention of Rabbi Asher Vale, Director Beis Din, Vaad Harabonim of Toronto at beis_din@hotmail.com;
- (d) By regular mail to the attention of Michael Simaan, Kramer Simaan Dhillon LLP at 120 Adelaide Street West, Suite 2100, Toronto, Ontario M5H 1T1; and
- (e) By electronic mail to the attention of Michael Simaan, Kramer Simaan Dhillon LLP at msimaan@kramersimaan.com.

2. **THIS COURT ORDERS** that the Plaintiff shall serve a copy of this Order together with the Statement of Claim, as prescribed in paragraph 1 hereof.

3. **THIS COURT ORDERS** that proof of service for the purposes of Rule 19 of the *Rules of Civil Procedure* shall be satisfied by the filing of an Affidavit of Service of the Statement of Claim and this Order as prescribed in paragraphs 1 and 2 hercof.

4. **THIS COURT FURTHER ORDERS** that service in accordance with this Order shall be effective on the 5th day after a copy of the Statement of Claim and this Order are sent by mail and electronic mail in accordance with this Order.

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

DEC 08 2015



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

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PROCEEDING COMMENCED AT
TORONTO

ORDER

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