

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE MR.) WEDNESDAY, THE 11th
)
JUSTICE CAVANAGH) DAY OF AUGUST, 2021
)

B E T W E E N:



MERCHANT REALTY PARTNERS INC., as agent

Applicant

- and -

**2407553 ONTARIO INC., 2384648 ONTARIO INC., 2384646 ONTARIO INC., 2400196
ONTARIO INC. and 2396139 ONTARIO INC.**

Respondents

**ORDER
(Interim Distribution)**

THIS MOTION, made by Zeifman Partners Inc. in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of 2407553 Ontario Inc., 2384648 Ontario Inc., 2384646 Ontario Inc., 2400196 Ontario Inc., and 2396139 Ontario Inc. (collectively, the “**Debtors**”), for an order approving an interim distribution and granting certain other relief, was heard this day via videoconference:

ON READING the Third Report of the Receiver, dated July 29, 2021 (the “**Third Report**”), and on hearing the submissions of counsel for the Receiver and any other party appearing:

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and Motion Record is abridged and validated such that this Motion is properly returnable today, and further service of the Notice of motion and the Motion Record is hereby dispensed with.

RECEIVER'S ACTIVITIES

2. **THIS COURT ORDERS** that the Third Report and the activities of the Receiver as described therein be and are hereby approved other than paragraph 36 and Appendix KK of the Third Report.

RECEIPTS AND DISBURSEMENTS

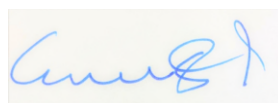
3. **THIS COURT ORDERS** that the Receiver's interim statement of receipts and disbursements, for the period from October 14, 2020, to July 26, 2021, be and is hereby approved.

INTERIM DISTRIBUTION

4. **THIS COURT ORDERS AND DIRECTS** the Receiver to make an interim distribution totalling \$4,100,000 (the "**Interim Distribution Amount**") out of the net proceeds available in the estate of the Debtors, as follows:

- a) pay the expenses of the Applicant; and
- b) after payment of the Applicant's expenses, distribute the remaining Interim Distribution Amount to the lenders listed in Appendix "A" attached hereto in accordance with their respective loan percentages.

5. **THIS COURT ORDERS** that the payments permitted under paragraph 4(a) is without prejudice to the ability of the Respondents, and their principals, to challenge the propriety of any of the Applicant's expenses.



Digitally signed by
Mr. Justice Cavanagh

Appendix “A”

Lender	Original Loan	Percentage of Loan
SRnED Limited (Earl Viner)	100,000.00	1.4286%
Lakes Holdings Ltd. (Earl Viner)	350,000.00	5.0000%
Marni Feingold (Earl Viner's niece)	50,000.00	0.7143%
Marjan Misiurak Holdings Inc.	100,000.00	1.4286%
JLL Developments Inc.	200,000.00	2.8571%
Susanna and Sheldon Kwok	300,000.00	4.2857%
Stephen Kwok Professional Corporation	350,000.00	5.0000%
Hilary and Lan Ma	200,000.00	2.8571%
Mark and Julia Wong	200,000.00	2.8571%
Edith Lau	50,000.00	0.7143%
ESTS Incorporated (Wilma Ieong)	100,000.00	1.4286%
Raymond Yeung	100,000.00	1.4286%
Dr. Ian Lo Dentistry Professional Corporation	100,000.00	1.4286%
995820 Ontario Inc. c/o Tammy Lee	100,000.00	1.4286%
2174912 Ontario Inc. c/o Michael Wong	200,000.00	2.8571%
Dr. William Chiu Dentistry Professional Corporation	300,000.00	4.2857%
Dr. Bryan Chan Dentistry Professional Corporation	150,000.00	2.1429%
Dr. Bernard Y.T. Li Medicine Professional Corporation	100,000.00	1.4286%
Dr. Wing K. Tse Medicine Professional Corporation	100,000.00	1.4286%
Dr. Dakin Lee Dentistry Professional Corporation	100,000.00	1.4286%
Dr. Hoppy Hui Dentistry Professional Corporation	150,000.00	2.1429%
Eddie Siek-Hin Leung	100,000.00	1.4286%
John Francis Footprints Limited	500,000.00	7.1429%
1862199 Ontario Inc.(ASO Sandie Murphy)	100,000.00	1.4286%
Frank DiMarco In Trust (formerly Alfredo & Maria DiMarco)	500,000.00	7.1429%
1599732 Ontario Limited(ASO: Randy Miller)	200,000.00	2.8571%
2083294 Ontario Inc. (ASO: Antonio Baretto)	200,000.00	2.8571%
Michael Longo, Riccardo Carnevale, Daniele Carnevale	215,000.00	3.0714%
Riccardo Carnevale	130,000.00	1.8571%
Daniele Carnevale	125,000.00	1.7857%
Lindwall Holdings Inc.	270,000.00	3.8571%
2331144 Ontario Ltd (ASO: Beata Grygowski)	100,000.00	1.4286%
Leslaw and Danuta Wojtanowski	100,000.00	1.4286%
MLC Financial Ltd. (ASO: Mark Curtis)	100,000.00	1.4286%
Fox Realty Corp.	50,000.00	0.7143%
MCL Communications Ltd.(c/o Mr. Kim Lockhart)	200,000.00	2.8571%
Nadir Janmohammed	200,000.00	2.8571%
David Goncalves (formerly Walji)	200,000.00	2.8571%
Faiza Kassam and Nazir Kassam	75,000.00	1.0714%
Sabrina Kassam and Rizwan Mohamed	35,000.00	0.5000%
Karim Naser	100,000.00	1.4286%
Remco Holdings Inc	100,000.00	1.4286%
Total	\$ 7,000,000.00	100.0000%

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PROCEEDING COMMENCED AT TORONTO

ORDER

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