

**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 -

**4544 ZIMMERMAN AVENUE LP and 4544 ZIMMERMAN AVENUE GP 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 4544 Zimmerman Avenue LP and 4544 Zimmerman Avenue GP Inc. (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 \$1,540,000 (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

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## Appendix “A”

<b>Lender</b>	<b>Original Loan Amount</b>	<b>Percentage of Loan</b>
1862199 Ontario Inc.( ASO Sandie Murphy)	50,000.00	1.1111%
2083294 Ontario Inc. ( ASO: Antonio Barreto)	200,000.00	4.4444%
2174912 Ontario Inc. c/o Michael Wong	100,000.00	2.2222%
2331144 Ontario Ltd (ASO: Beata Grygowski)	100,000.00	2.2222%
995820 Ontario Inc. c/o Tammy Lee	100,000.00	2.2222%
REMCO HOLDINGS ONTARIO LTD	100,000.00	2.2222%
John Francis Footprints Limited (formerly Chelsea Francis Family Trust)	250,000.00	5.5556%
Daniele Carnevale	150,000.00	3.3333%
Dr. Bernard Y.T. Li Medicine Professional Corporation	100,000.00	2.2222%
Dr. Bryan Chan Dentistry Professional Corporation	50,000.00	1.1111%
Dr. Dakin Lee Dentistry Professional Corporation	100,000.00	2.2222%
Dr. Hoppy Hui Dentistry Professional Corporation	50,000.00	1.1111%
Dr. William Chiu Dentistry Professional Corporation	50,000.00	1.1111%
Ed Heakes	50,000.00	1.1111%
Eddie Siek-Hin Leung	150,000.00	3.3333%
Frank Geier	400,000.00	8.8889%
Frank Greco	125,000.00	2.7778%
Jack Shinehoft Professional Corp	100,000.00	2.2222%
James Greenwood	200,000.00	4.4444%
Karim Naser	100,000.00	2.2222%
John Francis Footprints Limited (formerly Kathryn Francis Family Trust)	250,000.00	5.5556%
Les Wojtanowski	50,000.00	1.1111%
Danuta Wojtanowski	50,000.00	1.1111%
Mark and Julia Wong	100,000.00	2.2222%
Michael Longo	100,000.00	2.2222%
Naveera Mahum	200,000.00	4.4444%
Peter Volpe	100,000.00	2.2222%
Riccardo Carnavale	150,000.00	3.3333%
SDA Services Group Inc (ASO Luis Leite)	250,000.00	5.5556%
Stephen Kwok Professional Corporation	200,000.00	4.4444%
Katherine Suedan (formerly Teresa DiMarco)	150,000.00	3.3333%
Tony Vella	25,000.00	0.5556%
Wendy Dixon Dejonge Trust	150,000.00	3.3333%
Wilma Ieong & Eric Sito	200,000.00	4.4444%
<b>Total</b>	<b>\$ 4,500,000.00</b>	<b>100.0000%</b>

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- and -

**4544 ZIMMERMAN AVENUE LP, et al.**

**Applicant**

**Respondents**

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

PROCEEDING COMMENCED AT TORONTO

**ORDER**

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*Independent Counsel for the Receiver*