

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

THE HONOURABLE MR. )  
JUSTICE PATTILLO )  
 )  
 ) TUESDAY, THE 30TH  
 DAY OF NOVEMBER, 2021

BETWEEN:

**ANTHONY ZANARDO IN HIS CAPACITY AS  
THE ESTATE TRUSTEE FOR THE ESTATE OF LUIGI GAMBIN**

Applicant

- and -

**DI BATTISTA GAMBIN DEVELOPMENTS LIMITED,  
RAY DI BATTISTA, ANTHONY DI BATTISTA, JULIA BABENSKY,  
WHITWOOD DEVELOPMENTS LTD. and GREYSTAR DEVELOPMENTS INC.**

Respondents

APPLICATION UNDER Sections 207 and 248 of the Ontario *Business Corporations Act*,  
R.S.O. 1990, c. B-16, as amended,

**ORDER**

**THIS MOTION**, made by Zeifman Partners Inc. (“**Zeifman**”), in its capacity as the court-appointed liquidator (in such capacity, the “**Liquidator**”) of the estate and effects of the Respondents, Di Battista Gambin Developments Limited (“**DBG**”) and Whitwood Developments Ltd. (“**Whitwood**” and together with DBG, the “**Companies**”), was heard on November 1, 2021 via ZOOM videoconference on account of the COVID-19 pandemic.

**ON READING** the Motion Record of the Liquidator, including the Sixth Report of the Liquidator dated June 28, 2021 and the appendices thereto (the “**Sixth Report**”), the Seventh Report of the Liquidator dated October 8, 2021 and the appendices thereto, and the Eighth Report

of the Liquidator dated October 15, 2021 and the appendices thereto, and on reading the Motion Record of the Respondent, Julia Babensky, and on hearing the submissions of counsel for the Liquidator, counsel to the Applicant and counsel to the Respondents, no one else appearing for any other person although duly served as appears from the Affidavit of Service of Danny Nunes sworn October 29, 2021, filed.

#### **APPROVAL OF ACTIVITIES AND FEES**

1. **THIS COURT ORDERS** that the activities of the Liquidator set out in the Sixth Report be and are hereby approved.
2. **THIS COURT ORDERS** that the fees and disbursements of the Liquidator and its counsel, DLA (Piper) Canada LLP, for the period November 1, 2020 to May 31, 2021, be and are hereby approved.

#### **RENEWAL OF COLLIERS LISTING AGREEMENT**

3. **THIS COURT ORDERS** that the Liquidator is authorized to renew, for a further six (6) month period from the date of this Order, on the same terms and conditions, the listing agreement between the Liquidator and Colliers Macauley Nicolls Inc., as listing agent, approved pursuant to the Order of the Honourable Madam Justice Conway dated December 11, 2019.



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L. A. Pattillo J.

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(COMMERCIAL LIST)  
PROCEEDINGS COMMENCED AT TORONTO**

**ORDER  
(NOVEMBER 30, 2021)**

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Liquidator of Di Battista Gambin Developments Limited  
and Whitwood Developments Ltd.