



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-20-00648284-00CL DATE: 22 September 2022

NO. ON LIST: 3

TITLE OF PROCEEDING: MILEVSKY et al v. DICK et al

BEFORE JUSTICE: MADAM JUSTICE KIMMEL

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
Tim Duncan	Counsel for Receiver	tduncan@foglars.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Calvin Ho	Counsel for the Trustee	cho@laisyreed.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info

ENDORSEMENT OF JUSTICE KIMMEL:

1. Zeifman Partners Inc. was appointed receiver (the “Receiver”) of residential property at 173 Caribou Road, Toronto (the “property”) by order of Cavanagh J. dated February 15, 2021 (the “appointment order”). The property was sold pursuant to the appointment order, the sale was approved by the court and the transaction was completed on July 28, 2021. The court subsequently provided directions with respect to the distribution of the sale proceeds.
2. The Receiver has completed all distributions in accordance with the court’s directions and proposes to pay the final expenses (including the accounts for fees and disbursements of its legal counsel, subject to the court’s approval of them) and then distribute the remaining proceeds of realization to the Trustee in Bankruptcy of the Estate of Esther Dick and asks to be discharged.
3. All interested persons who have been served with the previous motions in this proceeding were served with this motion. No one has objected to the relief sought.
4. The fees and disbursements of the Receiver’s counsel for which the court’s approval is sought are modest and supported by an affidavit confirming the amounts. They are reasonable and commensurate with the work that has been undertaken since the approval of the last professional accounts. The Receiver is not claiming any additional fees or disbursements for itself. The payment of the requested amounts to satisfy fees and disbursements of the Receiver’s legal counsel is approved.
5. The proposed final distribution of sale proceeds is in accordance with the court’s previous orders and endorsements and the disclosed priorities. In conjunction with the payment of the now approved amounts for legal fees and the final distribution, the proposed order for the discharge and release of the receiver, which mirrors the language in the Commercial List model order, is appropriate.
6. Order to go in the revised form signed by me today.

A handwritten signature in black ink that reads "Kimmel J." with a stylized, cursive script.

KIMMEL J.