

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

THE HONOURABLE MR.)
JUSTICE PENNY) TUESDAY, THE 9th
DAY OF MAY, 2023

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 this day via ZOOM videoconference.

ON READING the Motion Record of the Liquidator, including the Ninth Report of the Liquidator dated May 2, 2023 and the appendices thereto (the “**Ninth Report**”), and on hearing the submissions of counsel for the Liquidator and such other counsel as listed on the counsel slip,

no one else appearing for any other person although duly served as appears from the Affidavit of Service of Danny Nunes sworn May 3, 2023, filed.

SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the Notice of Motion and the Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF ACTIVITIES AND FEES

2. **THIS COURT ORDERS** that the Eighth Report of the Liquidator dated October 15, 2021 and the Ninth Report and the activities of the Liquidator set out therein be and are hereby approved.

3. **THIS COURT ORDERS** that the fees and disbursements of the Liquidator and its counsel, DLA (Piper) Canada LLP, as set out in the Ninth Report, be and are hereby approved.

GENERAL

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada to give effect to this Order and to assist the Liquidator and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Liquidator, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Liquidator and its agents in carrying out the terms of this Order.



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TRUSTEE FOR THE ESTATE OF LUIGI GAMBIN**

--and-

**DI BATTISTA GAMBIN DEVELOPMENTS LIMITED
RAY DI BATTISTA, ANTHONY DI BATTISTA,
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**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
PROCEEDINGS COMMENCED AT TORONTO**

ANCILLARY ORDER

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