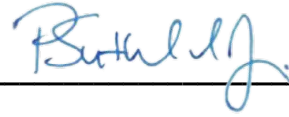


**Civil Endorsement Sheet/
Page d'inscription**

DATE: June 14, 2024 Motion on notice (virtual)	<p>Applicant: Peakhill Capital Inc.</p> <p>Counsel: Dominique Michaud - dmichaud@robapp.com</p> <p>Respondents: 100093910 Ontario Inc/Countertop Solutions</p> <p>Counsel: Derek Ketelaars - derek@sclawpartners.com</p> <p>Receiver: KSV Restructuring Inc.</p> <p>Counsel: Richard Swan, Aiden Nelms - swanr@bennettjones.com</p> <p>2557904 Ontario Inc.</p> <p>Counsel: Kevin Sherkin - ksherkin@millerthomson.com</p> <p>Mitchell Lightowler - milightowler@millerthomson.com</p> <p>Ren/Tex Reality Inc. and ReMax Premier Inc.</p> <p>Counsel: Domenico Magisano - dmagisano@lerner.ca</p> <p>Second Mortgagee Zaherali Visram</p> <p>Counsel: Laura Cullerton - laurac@chaitons.com</p> <hr/> <ol style="list-style-type: none">1. The receiver has brought a motion for approval and vesting order for the sale of the property at issue per the Sale Agreement or Second Report, as applicable. The applicant/first mortgagee is in agreement with the Orders sought by the receiver.2. The respondent/mortgagor, and personal guarantors bring a motion seeking two weeks to finalize financing to pay off the first mortgagee, satisfy the second mortgagee and pay any fees or costs associated with the sale.3. The second mortgagee Zaherali Visram supports the request of the respondent/mortgagor. The second mortgagee indicates that if the sale proceeds, then it will not receive full payment of the amount owing but if the financing is achieved, then it will be fully compensated. For these reasons, it opposes the position of the receiver.4. There is some urgency for all the parties to deal with these motions.
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5. The receiver and applicant oppose any adjournment and argue that the respondent/mortgagor and the guarantors have had ample time to obtain financing and have delayed this matter. The Court should not entertain such a request.
6. Given the urgency, with reasons to follow shortly, I adjourn the motion of the receiver to June 28, 2024, at 9:30 a.m. for one hour in front of me by zoom.



The Honourable Justice P. Sutherland

Released: June 17, 2024