



Court File No. CV-23-00710004-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

IN THE MATTER OF the *Construction Act*, R.S.O. 1990, c. C.30

THE HONOURABLE) THURSDAY, THE 13TH
)
JUSTICE CAVANAGH) DAY OF NOVEMBER, 2025

B E T W E E N:

CEC MECHANICAL LTD.

Plaintiff

- and -

**MIZRAHI (128 HAZELTON) INC.,
CONSTANTINE ENTERPRISES INC.,
AVIVA INSURANCE COMPANY OF CANADA and
DUCA FINANCIAL SERVICES CREDIT UNION LTD.**

Defendants

ORDER

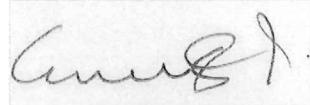
THIS MOTION, made by the plaintiff, CEC Mechanical Ltd., for an order dispensing with the requirements of Rule 48 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194 and for the trial of this matter, was heard this day at 330 University Avenue, Toronto, ON, M5G 1R7.

ON READING the materials filed in respect of the motion heard:

1. **THIS COURT ORDERS** that the requirements of Rule 48.01 and Rule 48.02 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, be and hereby are dispensed with.

2. **THIS COURT ORDERS** that there be a trial of this action and that the Registrar shall place this action on the appropriate trial list, pursuant to Rule 48.05(1) of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, at the request of any party to this action.
3. **THIS COURT ORDERS** that this Order constitutes an order for the trial of an action in which the lien of the plaintiff, CEC Mechanical Ltd., may be enforced, and that section 37(1) of the *Construction Act*, R.S.O. 1990, c. C.30 is hereby deemed to be complied with.
4. **THIS COURT ORDERS** that there be no order for costs of this consent motion.

Date of issuance

A handwritten signature in black ink, appearing to read "Amber".

CEC MECHANICAL LTD.
Plaintiff

and
MIZRAHI (128 HAZELTON) INC. et al.
Defendants

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PROCEEDING COMMENCED AT TORONTO

ORDER

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