



ONTARIO SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

**COUNSEL/ENDORSEMENT SLIP**

**COURT FILE NO.: CV-24-00715321-00CL  
CV-23-00710004-0000**

**Date: November 13, 2025**

**NO. ON LIST: 2**

**TITLE OF PROCEEDING: CONSTANTINE ENTERPRISES INC. v. MIZRAHI (128 HAZELTON) INC. et al  
BEFORE: JUSTICE CAVANAGH**

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party:**

<b>Name of Person Appearing</b>	<b>Name of Party</b>	<b>Contact Info</b>
Zach Flemming-Giannotti Alan Merskey	Counsel for Applicant - Constantine Enterprises Inc.	<a href="mailto:zflemming@cassels.com">zflemming@cassels.com</a> <a href="mailto:amerskey@cassels.com">amerskey@cassels.com</a>

**For Defendant, Respondent, Responding Party:**

<b>Name of Person Appearing</b>	<b>Name of Party</b>	<b>Contact Info</b>

**For Other, Self-Represented:**

<b>Name of Person Appearing</b>	<b>Name of Party</b>	<b>Contact Info</b>
Lauren Archibald	Counsel for Receiver	<a href="mailto:lauren.archibald@nortonrosefulbright.com">lauren.archibald@nortonrosefulbright.com</a>

**ENDORSEMENT OF JUSTICE CAVANAGH:**

[1] The applicant, Constantine Enterprises Inc., brings this motion for an Order for the trial of a lien action bearing court file no. CV-23-00710004-0000 and dispensing with the requirements of Rule 48.01 and Rule 48.02 of the *Rules of Civil Procedure*, solely for the purpose of complying with section 37(1) of the Construction Act.

[2] This motion is on consent.

[3] I am satisfied that the requested order should be made. The Order is made in the lien action.

[4] Order to issue in form of Order signed by me today.

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