



Court File No. CV-24-00722234-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

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

THE HONOURABLE)
)
JUSTICE CAVANAGH) WEDNESDAY, THE 11th
 DAY OF JUNE, 2026

B E T W E E N:

PENEGAL TRIM & SUPPLY LTD.

Plaintiff

- and -

**MIZRAHI (128 HAZELTON) INC., AVIVA INSURANCE COMPANY OF CANADA, and
CONSTANTINE ENTERPRISES INC.**

Defendants

ORDER

THIS MOTION, made by the plaintiff, Penegal Trim & Supply 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, and on consent of all parties:

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.

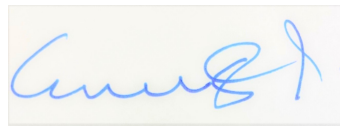
2. **THIS COURT ORDERS** that there be a trial of this action and that the Registrar shall place this action on the appropriate trial list, pursuant to Rule 48.05(1) of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, at the request of any party to this action.

3. **THIS COURT ORDERS** that this Order constitutes an order for the trial of an action in which the lien of the plaintiff, Penegal Trim & Supply 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, but for the actions in paragraphs 1-3 herein, no further steps will be taken without a further Order or the consent of the Receiver.

5. **THIS COURT ORDERS** that there be no order for costs of this consent motion.

Date of issuance



PENEGAL TRIM & SUPPLY LTD.
Plaintiff

and

MIZRAHI (128 HAZELTON) INC., et al
Defendants

Court File No. CV-24-00722234-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

In a proceeding under the Construction Lien Act
(and/or the Construction Act), R.S.O. 1990
(c. C30)

Proceeding commenced at **TORONTO**

ORDER

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Penegal Trim & Supply