

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

B E T W E E N:

GENESIS MORTGAGE INVESTMENT CORPORATION

Applicant

and

1776411 ONTARIO LTD. and 1333 WEBER STREET KITCHENER LP

Respondents

CASE CONFERENCE MEMORANDUM OF CMLS FINANCIAL LTD.

Case Conference: April 14, 2026 @ 12:00 p.m.

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Lawyers for KSV Restructuring Inc.,
In its capacity as Court-appointed Receiver

AND TO: **SERVICE LIST**

CASE CONFERENCE MEMORANDUM OF CMLS FINANCIAL LTD.

Overview

1. For purposes of this Case Conference only, CMLS Financial Ltd. (“**CMLS**”) materially concurs with the background set forth in paragraphs 1 through 8 of the Case Conference brief of the Receiver, KSV Restructuring Inc. (“**KSV**” or the “**Receiver**”).¹
2. CMLS is a party, specifically a defendant, to three of four outstanding proceedings to be addressed in this case conference along with the subject proceeding (the “**Related Proceedings**”):
 - a. *CORFinancial Corp. v. CMLS Financial Ltd. et al* (Toronto Court File No. CV-23-00706796-0000 (claim by CORFinancial Corp., who advanced certain funds in respect of the Project, against Computershare, CMLS and Gentai)
 - b. *Dean Lane Contractors Inc. v. 1776411 Ontario Ltd. et al*, Kitchener Court File No. CV-23-00001279-0000 (lien claim by contractor for the Project)
 - c. *Leuschner et al v. CMLS Financial Ltd. et al*, Kitchener Court File No. CV-25-00000716-0000 (claim by Guarantors against CMLS, Computershare, EQB, and Gentai)

Position of CMLS

3. CMLS agrees that the Related Proceedings should be transferred to, and case managed by a single judge on, the Commercial List; and a timetable put in place.
4. Without limitation, the Related Proceedings:
 - a. Have significant overlap in subject matter, namely the financing of the Project and the circumstances leading to the Receivership;

¹ Unless otherwise stated, all defined terms used in the Case Conference brief of KSV have the same meaning herein.

- b. Have multiple parties in common;
- c. Will demand inordinate Court resources as well as litigation expense if they proceed independently and without case management;
- d. Are of a degree of complexity and sufficiently related to the Receivership so as to warrant the specialized expertise and procedures of the Commercial List.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 10th day of April, 2026.



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GENESIS MORTGAGE INVESTMENT CORPORATION
Applicant

- and -

Court File No. CV-23-00706813-00CL
1776411 ONTARIO LTD. et. al.

Respondents

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PROCEEDING COMMENCED AT
TORONTO

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OF CMLS FINANCIAL LTD.**

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File Number: G10086725