

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

THE HONOURABLE MR.

)

THURSDAY, THE 23RD DAY

)

JUSTICE HAINEY

)

OF AUGUST, 2018



CHINA MACHINERY ENGINEERING CORPORATION

Applicant

-and-

**2284649 ONTARIO INC., 2270613 LIMITED PARTNERSHIP and
2270613 ONTARIO INC.**

Respondents

**ORDER
(PAYMENT INTO COURT)**

THIS MOTION made by 2284649 Ontario Inc., 2270613 Limited Partnership and 2270613 Ontario Inc. (collectively, the “**Debtors**”), for an Order or Orders, among other things, (i) lifting the stay of proceedings contained in the Order of the Honourable Mr. Justice McEwen dated February 6, 2018 appointing KSV Kofman Inc. (“**KSV**”), as receiver (the “**Receiver**”) of certain property (the “**Property**”) of the Debtors (the “**Receivership Order**”), to permit the Debtor to redeem the mortgage in favour of the Applicant (the “**Mortgage**”) on or before August 31, 2018 (the “**Redemption**”), and (ii) directing the Debtors, conditional upon and as part of the completion of the Redemption, to pay U.S. \$17,719,700 into Court being the amount being disputed by the Debtors as properly owing to the Applicant, was heard this day at 330 University Avenue, Toronto, Ontario.

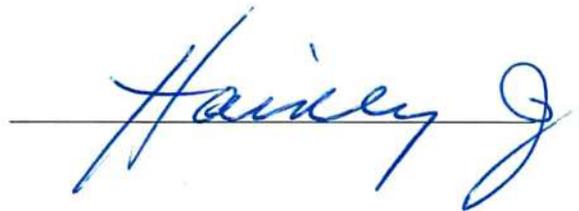
ON READING the Order of the Honourable Mr. Justice McEwen dated July 26, 2018 (the “**Lift Stay Order**”) and the Third Report of the Receiver dated August 17, 2018 (the “**Third**

Report”), and on hearing the submissions of counsel for the Receiver, the Applicant and the Debtors, no one else appearing at the July 26, 2018 hearing of the Debtor’s motion although duly served as evidenced by the Affidavits of Service, filed;

1. **THIS COURT ORDERS** that, conditional upon the closing of the Redemption, the Debtors shall pay or cause to be paid to the Accountant of the Superior Court of Justice (the “**Accountant**”) U.S. \$17,719,700 as part of the amount to satisfy the Redemption.

2. **THIS COURT ORDERS** that once the amount of U.S. \$17,719,700 is paid to Accountant, the Accountant shall preserve the amount in U.S. dollars.

3. **THIS COURT ORDERS** that once the amount of U.S. \$17,719,700 is paid to Accountant, such amount may not be paid out of Court without a further Order of this Court.



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ON / BOOK NO:
LE / DANS LE REGISTRE NO:

AUG 23 2018

PER / PAR:



BETWEEN:

CHINA MACHINERY ENGINEERING CORPORATION

- and -

**2284649 ONTARIO INC., 2270613 LIMITED PARTNERSHIP and
2270613 ONTARIO INC.**

Applicant

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**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

**ORDER DATED AUGUST 23, 2018
(PAYMENT INTO COURT)**

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