

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

TRADE CAPITAL FINANCE CORP.

Plaintiff

and

PETER COOK, also known as Peter William Cook, MARC D'AOUST, also known as Jean Marc D'Aoust, THOMAS BARKER, also known as Thomas Richard Barker (personally and carrying on business as LC Exchange, Global Medical and Greenlink Canada Group), ROCKY RACCA, BRUNO DIDIOMEDE, ALAN KEERY, also known as Alan John Keery, CHRIS BENNETT JR., also known as Chris Bennett also known as Christopher Bennett (personally and carrying on business as CJR Consulting), TODD CADENHEAD, DAYAWANSA WICKRAMASINGHE, BONNY LOKUGE, VIRTUCALL INC., VIRTUCALL INTERNATIONAL LLC, DEBT RESOLVE-MORTGAGE FUNDING SOLUTIONS INC., THE CASH HOUSE INC., 1160376 ONTARIO LIMITED, operating as THE CASH HOUSE, 2242116 ONTARIO INC., carrying on business as Superior Medical Services Inc. and Superior Medical Services, CARLO DE MARIA, also known as Carlo Vince De Maria also known as Carlo Vincent De Maria also known as Carlo Vincenzo De Maria, MATTEO PENNACCHIO, FRANK ZITO, also known as Francesco Zito, SIMONE SLADKOWSKI, JOBEC TRADE FINANCE INC., 1461350 ONTARIO INC., 2299430 ONTARIO INC., WF CANADA LTD., JOBEC INVESTMENTS RT LTD., GREEN LINK CANADA INC., 2339989 ONTARIO INC., 2252364 ONTARIO INC., 2224754 ONTARIO LTD., 6980023 CANADA INC., operating as Living Benefits, MILLWALK ENTERPRISES INC. and OAK HILLS WATER DURHAM INC., JOSHUA COOK, ELIZABETH COOK, REBECCA COOK, MARK PINTUCCI, MARCO SANTONATO, also known as Marc Santonato, NEW ERA RESOLUTIONS & CONSULTING INC.

Defendants

Court File No. CV-19-00618175-0CL

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

BETWEEN:

BUDUCHNIST CREDIT UNION LIMITED

Applicant

- and -

**LINDA DE MARIA, CARLO DEMARIA (ALSO KNOWN AS CARLO DE MARIA)
and DO YOU KNOW INC.**

Respondents

APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, c. B-3, AS AMENDED, SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43, AS AMENDED, AND RULES 14.05(3)(e) AND 14.05(3)(g) OF THE *RULES OF CIVIL PROCEDURE*, R.R.O. 1990, REG 194, AS AMENDED

**UNOFFICIAL TRANSCRIPT OF THE ENDORSEMENT OF
THE HONOURABLE JUSTICE PENNY**

April 25, 2019 (Case Conference)

Heard: April 25, 2019

This case conference dealt with a number of issues in two existing proceedings and a new receivership proceeding involving a property known as Stavebank.

In respect of the Stavebank receivership application, all parties shall file responding materials by May 6, 2019. This is subject to potential variation as the counsel for some parties is in the process of being retained. Counsel may change the May 6 date on consent or apply for a different scheduling order at a 9:30 a.m. appointment.

Following responding materials being delivered, parties shall book a case conference to review issues and scheduling.

1. The motions to set aside the Mareva orders and for summary judgment shall proceed on August 15 and 16, 2019 before me (cleared). Parties shall adhere to the timetable attached as Schedule "A". On consent, my stay of the receivership over the DeMaria's personal residence is extended on additional terms.

The additional term is that Mr. DeMaria shall pay on April 15, May 1, June 1 and July 1 the sum of \$15,200 each month to BCU. This will need to be extended into August but counsel did not have instructions on this today.

2. The implementation of my April [1], 2019 endorsement shall be the subject to a separate endorsement, to be issued shortly.
3. BCU's proposed motion to deal with the "threshold" issue of the reach of the Mareva and its impact on possible distributions in the main receivership will not occur until after the August motions have been resolved.

4. The order addressing Trade Capital as a party shall issue in the form signed by me this day.
The form of order is without prejudice to Trade Capital's position on the validity / priority of BCU's security in that proceeding.

The Honourable Justice Penny

Schedule "A"
to Endorsement of Justice Penny

	Due By
De Maria's Fact Affidavit	May 6
De Maria's and Trade Capital's responding expert reports	May 31
Reply materials, including reply expert reports	June 21
Cross Examinations	Between June 24 to July 12
Return Date	August 15 & 16