

Court File Number: CU-15-2110
CV-19-618175-CL

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Trade Capital v De Maria

Plaintiff(s)

AND

BCU v De Maria

Defendant(s)

Case Management Yes No by Judge: _____

Counsel	Telephone No:	Facsimile No:

- Order Direction for Registrar (No formal order need be taken out)
- Above action transferred to the Commercial List at Toronto (No formal order need be taken out)
- Adjourned to: _____
- Time Table approved (as follows):

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

In respect of the Stonebank receivership application, all parties shall file responding materials by May 6, 2019. This is subject to

April 25, 2019

Date

[Signature]

Judge's Signature

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Judges Endorsment Continued

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 AM appointment.

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

"The motions to set aside the Marava order and for summary judgment shall proceed on August 15 and 16, 2019 before me (Chand).

Parties shall adhere to the timetable attached as Sch A.

On consent, my stay of the receivership over the DeMeria's personal residence is extended on terms.

~~The~~ ~~terms~~ additional

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The additional term is that Mr. DeMaio 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 of a separate endorsement to be issued shortly.

3. BCU's proposed motion to deal with the "blue chold" issue of the reach of the Marera and its impact on possible distributions in the main receivership will not occur until after the August motions have been resolved.

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

Sch A to
Enforcement of
Frany J.

Due by

De Manra's Fact Aff't

May 6

De Manra and Trade Capital's
responding expert reports

May 31

Reply materials, including
reply expert reports

June 21

Cross-examination

between

June 24
to July 12

Return Date

August 15+16