

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

B E T W E E N:

BUDUCHNIST CREDIT UNION LIMITED

Applicant

- and -

**2321197 ONTARIO INC., CARLO DEMARIA, SANDRA DEMARIA,
2321198 ONTARIO INC., SASI MACH LIMITED and VICAR HOMES LTD.**

Respondents

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

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

**(Cottage and Woodland costs, pursuant to Jan 17/19 endorsement and Second Amended
and Restated Receivership Order)**

February 22, 2019

Costs should be addressed as contemplated in the Commercial List Model Receivership Order. There are already two other properties of Mr. Demaria under the CLMRO. Enforcement costs for all proceedings should be dealt with at one time at the distribution phase, where the debtor (and other stakeholders) will have the right to question whether the fees sought are reasonable and fair.

It does seem to me that, the Trade Capital motion to be added as a party, and cross examinations and document production relate to steps taken within the receivership in respect of which I have already ordered that BCU (and Trade Capital) shall bear its own costs.

The Honourable Justice Penny