



Court File No. CV-24-00098058-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

)

FRIDAY, THE 21st

JUSTICE MEW

)

DAY OF MARCH, 2025

)

IN THE MATTER OF 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

AND IN THE MATTER OF THE APPOINTMENT OF A RECEIVER OVER THE
PROPERTY, ASSETS AND UNDERTAKING OF 2067166 ONTARIO INC., 2265132
ONTARIO INC., ASHCROFT HOMES – LA PROMENADE INC., 2195186 ONTARIO
INC., 1384274 ONTARIO INC. AND 1019883 ONTARIO INC.

**ORDER
(Funds Transfer – Mann Lawyers)**

THIS MOTION made by KSV Restructuring Inc. ("**KSV**"), in its capacity as receiver and manager (in such capacity, the "**Receiver**") of the lands listed on Schedule "A" hereto and property, assets and undertaking (the "**Property**") of each of 2067166 Ontario Inc., 2261532 Ontario Inc., Ashcroft Homes – La Promenade Inc., 2195132 Ontario Inc., 1384274 Ontario Inc. and 1019883 Ontario Inc. (collectively, the "**Debtors**") for an order directing Mann Lawyers LLP to transfer the Holdback Funds (as defined in the First Report, defined below) to the Receiver, was heard on March 21, 2025 by judicial teleconference via Zoom at Ottawa, Ontario.

ON READING the first report of the KSV in its capacity as Receiver dated March 13, 2025 (the "**First Report**") and on hearing the submissions of counsel for the Receiver, the Debtors and such other parties appearing, no one else appearing although duly served as appears from the affidavit of service of Lauren Archibald sworn March 15, 2025, filed.

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that all terms not otherwise defined herein shall have the meaning ascribed to them in the First Report.

FUNDS TRANSFER

3. **THIS COURT ORDERS AND DIRECTS** Mann Lawyers LLP to forthwith transfer the Holdback Funds to the Receiver and shall have no liability in so doing.
4. **THIS COURT ORDERS** that the priority of any claims to or in respect of the Holdback Funds shall not be impacted solely by virtue of the transfer of the Holdback Funds to the Receiver, and all such claims shall continue to have the same priority as if the Holdback Funds had continued to be held by Mann Lawyers LLP. For greater certainty, nothing herein presupposes or determines the status or character of the Holdback Funds, which shall be determined at a later date.
5. **THIS COURT ORDERS** that the Receiver shall hold the funds in trust pending further Order of the Court.

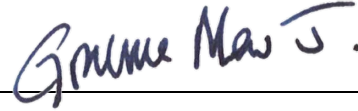
GENERAL

6. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as

may be necessary or desirable to give effect to this Order, or to assist the Receiver and its agents in carrying out the terms of this Order.

7. **THIS COURT ORDERS** that this Order and all of its provisions are effective from the date it is made without any need for entry and/or filing.

Date of Issuance: April 7th, 2025

A handwritten signature in blue ink, appearing to read "G. Mew J.", is written over a horizontal line.

Mew J.

IN THE MATTER OF 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

AND IN THE MATTER OF THE APPOINTMENT OF A RECEIVER OVER THE PROPERTY, ASSETS AND UNDERTAKING OF 2067166 ONTARIO INC., 2265132 ONTARIO INC., ASHCROFT HOMES – LA PROMENADE INC., 2195186 ONTARIO INC., 1384274 ONTARIO INC. AND 1019883 ONTARIO INC.

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PROCEEDING COMMENCED AT
OTTAWA

**ORDER
(FUNDS TRANSFER)**

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