

Court File No. CV-24-00721859-00CL

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

B E T W E E N:

KSV RESTRUCTURING INC. IN ITS CAPACITY
AS LICENSED INSOLVENCY TRUSTEE FOR
BAD BOY FURNITURE WAREHOUSE LIMITED

Plaintiff

and

LASTMAN FURNITURE INC.

Defendant

MOTION RECORD

January 9, 2026

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Counsel
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff

TO: **AIRD & BERLIS LLP**
Barristers & Solicitors
Brookfield Place
181 Bay Street
Suite 1800
Toronto ON M5J 2T9

Steven L. Graff
sgraff@airdberlis.com
Tel: 416 863 1500

Miranda Spence LSO#: 60621M
mspence@airdberlis.com
Tel: 416 865 3414

Dillon Collett LSO#: 74961J
dcollett@airdberlis.com
Tel: 416 865 7730

Samantha Hans LSO#: 84737H
shans@airdberlis.com
Tel: 437 880 6105

Lawyers for the Defendant

INDEX

Tab	Description	Page No.
1.	Notice of Motion dated January 9, 2026	<u>5</u>
2.	Consent executed on January 9, 2026	<u>10</u>
3.	Draft Order	<u>14</u>

TAB 1

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

B E T W E E N:

KSV RESTRUCTURING INC. IN ITS CAPACITY
AS LICENSED INSOLVENCY TRUSTEE FOR
BAD BOY FURNITURE WAREHOUSE LIMITED

Plaintiff

and

LASTMAN FURNITURE INC.

Defendant

NOTICE OF MOTION

The Plaintiff will make a Motion to the court as soon as the Motion can be heard.

PROPOSED METHOD OF HEARING: The Motion is to be heard

- In writing under subrule 37.12.1(1) because it is on consent;
- In writing as an opposed motion under subrule 37.12.1(4);
- In person;
- By telephone conference;
- By video conference.

at the following location

330 University Avenue, Toronto ON M5G 1R7.

-2-

THE MOTION IS FOR an Order dismissing the action with prejudice and without costs.

THE GROUNDS FOR THE MOTION are that, pursuant to Minutes of Settlement entered into by the parties, the parties have consented to an Order dismissing the action with prejudice and without costs.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion: a Consent signed by the lawyers for the parties.

January 9, 2026

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Counsel
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff

-3-

TO: **AIRD & BERLIS LLP**
Barristers & Solicitors
Brookfield Place
181 Bay Street
Suite 1800
Toronto ON M5J 2T9

Steven L. Graff
sgraff@airdberlis.com
Tel: 416 863 1500

Miranda Spence LSO#: 60621M
mspence@airdberlis.com
Tel: 416 865 3414

Dillon Collett LSO#: 74961J
dcollett@airdberlis.com
Tel: 416 865 7730

Samantha Hans LSO#: 84737H
shans@airdberlis.com
Tel: 437 880 6105

Lawyers for the Defendant

KSV RESTRUCTURING INC. IN ITS CAPACITY AS
LICENSED INSOLVENCY TRUSTEE FOR BAD BOY
FURNITURE WAREHOUSE LIMITED
Plaintiff

-and- LASTMAN FURNITURE INC.

Defendant

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT TORONTO

NOTICE OF MOTION

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff

TAB 2

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

B E T W E E N:

KSV RESTRUCTURING INC. IN ITS CAPACITY
AS LICENSED INSOLVENCY TRUSTEE FOR
BAD BOY FURNITURE WAREHOUSE LIMITED

Plaintiff

and

LASTMAN FURNITURE INC.

Defendant

CONSENT

By their respective lawyers, the parties consent to an Order to dismiss the action with Court File No. CV-24-00721859CL with prejudice and without costs in the form attached. No party affected by the Order is under disability.

DATED AT TORONTO, ONTARIO this 9th day of January, 2026

LAX O'SULLIVAN LISUS GOTTLIEB
LLP

Per:



Danielle Glatt
Lawyers for the Plaintiff

-2-

DATED AT TORONTO, ONTARIO this 9th day of January, 2026

AIRD & BERLIS LLP

Per:



Steven L. Graff
Lawyers for the Defendant

KSV RESTRUCTURING INC. IN ITS CAPACITY AS
LICENSED INSOLVENCY TRUSTEE FOR BAD BOY
FURNITURE WAREHOUSE LIMITED
Plaintiff

-and- LASTMAN FURNITURE INC.
Defendant

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT TORONTO

CONSENT

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff

TAB 3

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE) THE
)
JUSTICE) DAY OF, 2026

B E T W E E N:

KSV RESTRUCTURING INC. IN ITS CAPACITY
AS LICENSED INSOLVENCY TRUSTEE FOR
BAD BOY FURNITURE WAREHOUSE LIMITED

Plaintiff

and

LASTMAN FURNITURE INC.

Defendant

ORDER

THIS MOTION, made by the Plaintiff for an Order dismissing this action as against the Defendant on consent, was heard this day at 330 University Avenue, Toronto ON M5G 1R7.

ON READING the Notice of Motion and Consent of the parties, as filed,

-2-

1. **THIS COURT ORDERS** that this action against the Defendant is dismissed with prejudice and without costs.

Date of issuance

(to be completed by registrar)

(Signature of judge, officer or registrar)

KSV RESTRUCTURING INC. IN ITS CAPACITY AS
LICENSED INSOLVENCY TRUSTEE FOR BAD BOY
FURNITURE WAREHOUSE LIMITED
Plaintiff

-and- LASTMAN FURNITURE INC.

Defendant

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT TORONTO

ORDER

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff

KSV RESTRUCTURING INC. IN ITS CAPACITY AS
LICENSED INSOLVENCY TRUSTEE FOR BAD BOY
FURNITURE WAREHOUSE LIMITED
Plaintiff

-and- LASTMAN FURNITURE INC.

Defendant

Court File No. CV-24-00721859-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT TORONTO

MOTION RECORD

LAX O'SULLIVAN LISUS GOTTLIEB LLP
Suite 2750, 145 King Street West
Toronto ON M5H 1J8

Matthew P. Gottlieb LSO#: 32268B
mgottlieb@lolg.ca
Tel: 416 644 5353

Danielle Glatt LSO#: 65517N
dglatt@lolg.ca
Tel: 416 956 5115

Lawyers for the Plaintiff