



SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-24-00724076-00CL

DATE: August 5, 2025

NO. ON LIST: 2

TITLE OF PROCEEDING:

Foremost Mortgage Holding Corporation vs. Barakaa Developer Inc. / Lerrato Inc. /
2145499 Ontario Inc. / KSV Restructuring

BEFORE: Justice J. Dietrich

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Edmond F. B. Lamek, Counsel for Court-Appointed Receiver	KSV Restructuring	Edmond.lamek@dlapiper.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Sarah Rustomji, Counsel for Non-Party	Mohammed Aisharafi and Fatima Jeddi	srustomji@palletvalo.com

ENDORSEMENT OF JUSTICE J. DIETRICH:

[1] KSV Restructuring Inc. as court appointed receiver of certain property of the Respondents seeks to schedule a motion authorizing a disclaimer of an agreement of purchase and sale dated October 29, 2023 between Barakaa Developer Inc., and Mohammed Alsharafi and Fatima Jeddi, (the "Purchasers"), pursuant to which the Purchasers had agreed to purchase the land and building known municipally as 23 Madison Avenue, Richmond Hill, Ontario ("23 Madison"), and the relevant chattels as such agreement was amended. The Receiver also seeks an order for vacant possession of 23 Madison.

[2] The Purchasers intend to oppose the Receiver's motion and seek to schedule their own motion for an order requiring the Receiver to complete the sale of the property to the Purchasers and remedy certain construction deficiencies. Given the additional evidence that will be required for the Purchaser's motion, the Receiver's motion is to proceed first. If the Receiver is successful, the Purchaser's motion will be moot in any event.

- [3] The Receiver's motion to disclaim is to be heard in accordance with the following:
- a. Receiver's Report in support of Notice of Motion to be delivered on or before August 8, 2025;
 - b. Purchaser's to provide written questions on Fourth Report to Receiver on or before August 22, 2025;
 - c. Receiver to provide answer to (b) on or before August 29, 2025;
 - d. Responding Motion Record of Purchaser to be delivered on or before September 5, 2025;
 - e. Supplemental Report of Receiver, if any to be delivered on or before September 12, 2025;
 - f. Cross examination of Purchaser's witness, if any to be completed on or before September 23, 2025;
 - g. Factum of Receiver to be delivered on or before September 26, 2025;
 - h. Factum of Purchaser to be delivered on or before October 7, 2025;
 - i. Reply Factum of Receiver to be delivered on or before October 8, 2025; and
 - j. **Hearing 2 hours on October 10th, 2025 at 10:00 am (in person).**

[4] All material is to be uploaded to casecenter no later than end of day on October 8, 2025.

August 5, 2025


Justice J. Dietrich

