



SUPERIOR COURT OF JUSTICE  
**COUNSEL SLIP**

COURT FILE

NO.: CV-21-00672999-00CL

DATE: 14-APR-2022

3

TITLE OF PROCEEDING  
BEFORE MR. JUSTICE CAVANAGH

CANNECT MORTGAGE INVESTMENT CORPORATION V. CLAIREVILLE  
PROPERTY HOLDINGS INC. et al.

**NAMES OF COUNSEL AND PARTY:**

☒ APPLICANT(S) PHONE \_\_\_\_\_

☐ PLAINTIFF(S)

D. Sieradzki (for KSV Restructuring Inc.)

EMAIL [dsieradzki@ksvadvisory.com](mailto:dsieradzki@ksvadvisory.com)

**NAMES OF COUNSEL AND PARTY:**

☐ DEFENDANT(S) PHONE \_\_\_\_\_

☐ RESPONDENT(S)

☐ DEFENDANT(S) EMAIL \_\_\_\_\_

☐ RESPONDENT(S) PHONE \_\_\_\_\_

EMAIL \_\_\_\_\_

**NAMES OF COUNSEL AND OTHER PARTIES:**

D. Richer (for Xylem Canada Company); C. Francis (for Kornwood); J. Nemers (for Receiver); G. Borean (for Concord Blow & Moldings Ltd)

☒

PHONE \_\_\_\_\_

EMAIL [dricher@fasken.com](mailto:dricher@fasken.com);  
[cfrancis@mindengross.com](mailto:cfrancis@mindengross.com);  
[jnemers@airdberlis.com](mailto:jnemers@airdberlis.com);  
[gborean@parenteborean.com](mailto:gborean@parenteborean.com)

PHONE \_\_\_\_\_

**ENDORSEMENT OF CAVANAGH J.:**

[1] The Receiver seeks an approval and vesting order in respect of a sale transaction for the Purchased Assets as described in the requested form of order.

[2] I have reviewed the motion record including the Supplement to the First Report to Court of the Receiver and I heard submissions of counsel. I accept the Receiver's recommendation that the transaction be approved for the reasons expressed in the report. I am satisfied that the transaction satisfies the principles in *Royal Bank v. Soundair* (1991), 4 O.R. (3d) 1 (C.A.), at para. 16.

[3] I am satisfied that the requested Order should be made.

[4] Order to issue in form of order signed by me today.