

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

B E T W E E N:

**LONDON VALLEY IV INC.,
by its Court-Appointed Receiver and Manager, KSV RESTRUCTURING INC.**

Plaintiff

and -

**BEHZAD PILEHVER also known as BEN PILEHVER also known as BEHZAD
PILEHVAR also known as BEN PILEHVAR also known as BEN PILEVHR, MAHTAB
NALI also known as MAHTAB NALI PILEHVAR also known as MAHTAB PILEHVAR
and 2621598 ONTARIO INC. doing business as NALI AND ASSOCIATES**

Defendants

**AIDE-MÉMOIRE OF THE PLAINTIFF
(Case Conference returnable on October 14, 2025 at 11:00 a.m.)**

1. This case conference was scheduled at the request of Henein Hutchinson Robitaille LLP (“**HHR**”) to address: (i) HHR’s proposed motion to be removed as the lawyers of record for the Defendant, Ben Pilehver (“**Mr. Pilehver**”); and (ii) the Receiver’s proposed scheduling of a motion for default judgment as against the Defendants.

Mareva Orders Issued August 7 and 15, 2025

2. Pursuant to the authority given to the Receiver in the Order (Appointing Receiver) issued by this Court on March 6, 2025¹ (the “**Appointment Order**”), this action was commenced by the Receiver on August 5, 2025² on behalf of the Plaintiff, London Valley IV Inc. (“**LV IV**”).

3. On August 7, the Receiver obtained an *ex parte* Order³ (the “**August 7 Order**”) granting a *Mareva* injunction as against the Defendants. At a comeback hearing on August 15, Justice J.

¹ Appointment Order, Case Center, p. [A74](#).

² Notice of Action issued August 5, 2025, Case Center, p. [A1499](#).

³ The August 7 Order, Case Center, p. [G9](#). The August 7 endorsement of Justice Dietrich (the “**August 7th Endorsement**”) pursuant to which the August 7 Order was granted is at Case Center, p. [G1](#).

Dietrich granted an Order (the “**August 15 Order**”) and accompanying endorsement⁴ (the “**August 15 Endorsement**”) continuing the August 7 Order.⁵

Status of the Proceeding

4. The Defendants, Mahtab Nali and Nali and Associates, remain unresponsive in this proceeding despite having been personally served with the Notice of Action, Statement of Claim and the August 7 and August 15 Orders and endorsements.⁶ They have each been noted in default.

5. Prior to the September 23, 2025 case conference before Justice J. Dietrich, the Receiver had served Mr. Pilehver with a notice of examination returnable on September 30, 2025 pursuant to paragraph 6 of the August 7 Order.⁷

6. The endorsement of Justice J. Dietrich dated September 23, 2025 reflects as follows:⁸

- (a) Mr. Pilehver had delivered a statement of assets, however, the Receiver identified certain deficiencies with it including a failure to produce documents and identify accounts referenced therein;
- (b) the Receiver intended to proceed with its examination of Mr. Pilehver on September 30, 2025, without prejudice to its right to seek production thereafter of relevant documents;
- (c) Mr. Henein advised that he is seeking to withdraw as counsel to Mr. Pilehver. The Court endorsed that Mr. Henein can schedule a motion in the ordinary course through the Commercial List Office; and
- (d) Mr. Pilehver advised that he was in the process of retaining new counsel and hoped to complete same during the week of September 29.

⁴ August 15 Order, Case Center, p. [G20](#). August 15 Endorsement, Case Center, p. [G17](#).

⁵ In support of the August 7 and 15 Orders, the Receiver relied upon the Third Report of the Receiver dated August 1, 2025 (the “**Third Report**”), Case Center, p. [A35](#); the Supplement to the Third Report dated August 5, 2025, Case Center p. [A1425](#); the Second Supplement to the Third Report dated August 13, 2025, Case Center p. [A1530](#); and the Factum of the Plaintiff dated August 1, 2025, Case Center, p. [A1438](#).

⁶ Affidavit of Service of L. Maitman, Case Center, p. [A1495](#); Affidavit of Service of L. Maitman, Case Center, pp. [A2271](#) and [A2272](#).

⁷ August 7 Order, paragraph 6, Case Center, p. [G12](#).

⁸ September 23, 2025 Endorsement of Justice J. Dietrich, Case Center, p. [G38](#).

7. On September 29, the Receiver's counsel contacted Mr. Henein and Mr. Pilehver to remind Mr. Pilehver of his obligation to produce certain documents at or in advance of his September 30 examination.

8. In response, Mr. Henein objected to the examination proceeding on September 30 given that Mr. Henein remained the lawyer of record for Mr. Pilehver and that Mr. Pilehver's representation is in transition.

9. Without prejudice to the Receiver's position that the examination ought to have proceeded as scheduled, the Receiver agreed to adjourn the examination, provided that a new date for the examination be agreed upon by October 3.

10. As of the date of filing this aide-mémoire, (i) Mr. Pilehver has not proposed a new date for the examination, despite the request for same by the Receiver, (ii) no notice of change of lawyer nor notice of intention to act in person has been served, and (iii) Mr. Pilehver has been unresponsive to the Receiver and Mr. Henein's communications. The Receiver has not received any communications from Mr. Pilehver subsequent to the September 23 case conference.

11. The deadline for Mr. Pilehver to serve a statement of defence has passed.

12. In the circumstances, the Receiver requests that the Court (i) schedule a motion for default judgment as against all of the Defendants and (ii) endorse that the Receiver's efforts to progress this proceeding are not to be further delayed as a result of HHR's proposed motion to be removed as Mr. Pilehver's lawyer of record.

All of which is respectfully submitted this 9th day of October, 2025.



Per: _____

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LONDON VALLEY IV INC.,
by its Court-Appointed Receiver and Manager,
KSV RESTRUCTURING INC.
Plaintiff

- and -

BEHZAD PILEHVER et al.

Defendants

Court File No. CV-25-00748799-00CL

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SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceedings commenced at Toronto

AIDE-MÉMOIRE OF THE PLAINTIFF
(Case Conference returnable on October 14, 2025)

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