

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

**B E T W E E N:**

**MIZUE FUKIAGE, AKIKO KOBAYASHI, YOSHIKI FUKIAGE, KOBAYASHI  
KYOHO DO CO., LTD., TORU FUKIAGE, and KWANG-CHENG (TONY) WEI, IN HIS  
PERSONAL CAPACITY AS A TAIWANESE INVESTOR AND IN HIS CAPACITY AS  
AGENT FOR THE OTHER TAIWANESE INVESTORS**

Applicants

**and -**

**CLEARVIEW GARDEN ESTATES INC., TALBOT CROSSING INC., NIAGARA  
ESTATES OF CHIPPAWA II INC., LONDON VALLEY INC., LONDON VALLEY II  
INC., LONDON VALLEY III INC., LONDON VALLEY IV INC., LONDON VALLEY V  
INC., FORT ERIE HILLS INC., 2533430 ONTARIO INC., CGE CAPITAL  
MANAGEMENT INC., TGP-TALBOT CROSSING INC., NEC II CAPITAL  
MANAGEMENT INC., LV CAPITAL MANAGEMENT INC., LV II CAPITAL  
MANAGEMENT INC., LV III CAPITAL MANAGEMENT INC., LV IV CAPITAL  
MANAGEMENT INC., LV V CAPITAL MANAGEMENT INC., FORT ERIE HILLS  
CAPITAL MANAGEMENT INC., HALTON PARK INC., NIAGARA FALLS PARK  
INC., TSI-HP INTERNATIONAL CANADA INC., and TSI INTERNATIONAL-  
GRANDTAG A2A NIAGARA IV INC.**

Respondents

**AIDE-MÉMOIRE OF THE RECEIVER  
(Motion returnable on December 9, 2025 at 11:00 a.m.)**

1. This aide-mémoire is submitted in respect of the motion by the Receiver to extend the Claims Bar Date set by the Claims Process and Interest Holdings Identification Order dated October 23, 2025 (the “CPO”). Capitalized terms used but not defined herein have the meanings ascribed to them in the CPO.
2. The Receiver’s Notice of Motion was served on December 5, 2025, shortly after this hearing was scheduled through the Commercial List office. The Receiver’s Motion Record was served on the morning of December 8, 2025.

3. The original Claims Bar Date under the CPO is January 30, 2026. For the reasons set out in the Supplement to the Fourth Report of the Receiver dated December 8, 2025, the Receiver considers it desirable to extend the Claims Bar Date.

4. The amended Claims Bar Date reflected in the version of the Draft Order contained in the Receiver's Motion Record is February 27, 2026.

5. Since materials were served in respect of this motion, the Receiver has consulted further with Representative Counsel regarding the proposed new Claims Bar Date.

6. Representative Counsel has requested a revision to the Claims Bar Date to March 31, 2026, for the following reasons:

- (a) the proposed extension will allow adequate time to locate investors (including sending Interest Holder Notices by mail where e-mail transmission previously resulted in a bounce-back);
- (b) once the Receiver delivers the balance of the Interest Holder Notices to Representative Counsel, Representative Counsel will then be responsible for distributing the Interest Holder Notices and assisting Investors with the preparation of their proofs of claim, should they wish to submit one; and
- (c) Representative Counsel does not believe the extension will materially impact administrative costs.

7. For the foregoing reasons and at Representative Counsel's request, the Receiver is supportive of extending the Claims Bar Date to March 31, 2026 and consulting with Representative Counsel on any further extensions to deadlines under the CPO.

**All of which is respectfully submitted this 8<sup>th</sup> day of December, 2025.**

Per: 

**AIRD & BERLIS LLP**  
 Barristers and Solicitors  
 Brookfield Place  
 181 Bay Street, Suite 1800  
 Toronto, Ontario M5J 2T9

*Lawyers for the Receiver*

**MIZUE FUKIAGE, et al.**  
Applicant

- and -

**CLEARVIEW GARDEN ESTATES INC., et al.**  
Respondents

Court File No. CV-25-00736577-00CL

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**Proceedings commenced at Toronto**

**AIDE-MÉMOIRE OF THE RECEIVER  
(Motion returnable on December 9, 2025)**

**AIRD & BERLIS LLP**

Brookfield Place  
181 Bay Street, Suite 1800  
Toronto, ON M5J 2T9

**Mark van Zandvoort (LSO No. 59120U)**

Email: [mvanzandvoort@airdberlis.com](mailto:mvanzandvoort@airdberlis.com)

**Kyle Plunkett (LSO No. 61044N)**

Email: [kplunkett@airdberlis.com](mailto:kplunkett@airdberlis.com)

**Adrienne Ho (LSO No. 68439N)**

Email: [aho@airdberlis.com](mailto:aho@airdberlis.com)

**Calvin Horsten (LSO No. 90418I)**

Email: [chorsten@airdberlis.com](mailto:chorsten@airdberlis.com)

*Lawyers for the Receiver*