

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

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

**MIZUE FUKIAGE, AKIKO KOBAYASHI, YOSHIKI FUKIAGE, KOBAYASHI  
KYOHODO CO., LTD., and TORU FUKIAGE**

**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., and FORT ERIE HILLS  
CAPITAL MANAGEMENT INC.**

**Respondents**

**AIDE-MÉMOIRE OF THE RECEIVER**

**(Scheduling Appointment on September 12, 2025 at 9:45 a.m.)**

**PROCEDURAL HISTORY**

1. KSV Restructuring Inc. was appointed as receiver and manager (in such capacity, and not in its personal, corporate or any other capacity, the “**Receiver**”) of certain entities and funds which are the subject of these proceedings pursuant to the Order of Justice Steele dated March 6, 2025.
2. On May 29, 2025, Justice Kimmel granted, among other things, five Approval and Vesting Orders in respect of certain real properties subject to these proceedings, the sale of which real properties have now all closed and the net proceeds of which remain on deposit in the Receiver’s trust accounts.

## REQUEST TO SCHEDULE CLAIMS PROCESS MOTION

3. Separately from the relief sought by Kwang-Cheng (Tony) Wei, in his personal capacity and as agent for other Taiwanese Investors ("**Mr. Wei**"), as outlined in Mr. Wei's Motion Record dated August 27, 2025 (the "**Rep Counsel and Expansion Motion**"), the Receiver will seek to schedule Court time for a motion (the "**Claims Process Motion**") to be heard concurrently with the Rep Counsel and Expansion Motion for, *inter alia*, approval of a Claims Process and Interest Holdings Identification Order.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED** this 11<sup>th</sup> day of September, 2025.

Per: \_\_\_\_\_



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*Lawyers for the Receiver*

**MIZUE FUKIAGE et al.**  
Applicants

- and -

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

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

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
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**Proceedings commenced at Toronto**

**AIDE-MÉMOIRE OF THE RECEIVER  
(Scheduling Appointment returnable on  
September 12, 2025 at 9:45 a.m.)**

**AIRD & BERLIS LLP**

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