

ONTARIO  
SUPERIOR COURT OF JUSTICE  
IN BANKRUPTCY AND INSOLVENCY

THE HONOURABLE H.J.

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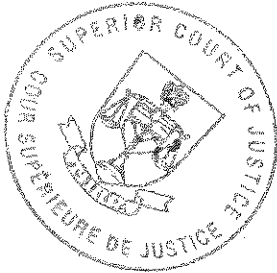
TUESDAY, THE 13<sup>TH</sup>

WILTON-SIEGEL

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DAY OF DECEMBER 2016

IN THE MATTER OF THE BANKRUPTCY OF  
HENRY GEORGE COLE,  
OF THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO



ORDER

THIS APPEAL, made by Henry George Cole ("Cole"), from the order of Master Jean dated June 1, 2016 made in her capacity as a Registrar under the *Bankruptcy and Insolvency Act* (Canada) was heard on November 14, 2016.

UPON THIS COURT having read the Motion Records of the Cole and of KSV Kofman Inc. (formerly Duff & Phelps Canada Restructuring Inc.) in its capacity as trustee in the bankruptcy estate of Cole (the "Trustee"), and the Factums of Cole and of the creditor RBC Dominion Securities Inc. ("RBC DS"), and upon having heard oral submissions by counsel for Cole, counsel for RBC DS and counsel for the Trustee:

1. THIS COURT ORDERS that appeal is dismissed.

2. THIS COURT ORDERS that partial indemnity costs of the appeal are fixed in the amount of \$5,604.80, inclusive of HST, to be paid to RBC DS in priority to any distributions to unsecured creditors in the bankruptcy estate.

W. Hon-Int J:

CAN\_DMS: \103346532\2

IN THE MATTER OF THE BANKRUPTCY OF HENRY GEORGE COLE, OF THE CITY OF  
TORONTO, IN THE PROVINCE OF ONTARIO

Estate File No: 31-456669

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**IN BANKRUPTCY AND INSOLVENCY**

Proceeding commenced at Toronto

**ORDER**

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