



SUPERIOR COURT OF JUSTICE

**COUNSEL SLIP**

COURT FILE NO.: CV-24-00721560-00CL

DATE: MARCH 24, 2025

**NO. ON LIST:**

**1**

**TITLE OF PROCEEDING:** **EQUITABLE BANK v.  
EQUITYLINE SPV LIMITED PARTNERSHIP**

**BEFORE:** **JUSTICE W.D. BLACK**

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party, Crown:**

Name of Person Appearing	Name of Party	Contact Info
Geoffrey Adair	Margaret Jank (Interested Party)	Gadair@adairlitigation.com
Miranda Spence	KSV Restructuring Inc.	mspence@airdberlis.com

**For Defendant, Respondent, Responding Party, Defence:**

Name of Person Appearing	Name of Party	Contact Info
Judy Hamilton	Equityline SPV Ltd Partnership	jh@friedmans.ca
Bruce Darlington	Computershare Trust Company of Canada	bruce.darlington@dlapiper.com

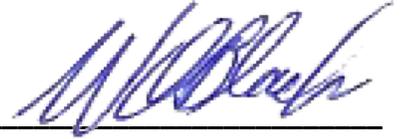
**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info

**ENDORSEMENT OF JUSTICE W.D. BLACK**

1. By order dated July 15, 2024, Conway J. appointed KSV Restructuring Inc. as receiver of the assets, properties and undertakings of EquityLine SPV Limited Partnership, and, as part of the normal receivership order ordered a stay of proceedings brought in the name of or against Computershare Trust Company of Canada (“Computershare”).
2. Today’s scheduling appointment was convened at the request of Margaret Jank, a widow in her mid-70s who resides alone in her home at 132 Swift Crescent in Guelph, Ontario.
3. Ms. Jank alleges that there is strong evidence that she was the victim of a fraud resulting in EquityLine Mortgage Corp., placing a mortgage in the principal amount of \$335,000 on her property, which includes onerous interest terms.
4. An action was commenced in the name of Computershare against Ms. Jank for payment of the mortgage (the “Computershare Action”). Computershare advises that it did not authorize the commencement or prosecution of that action, and is prepared to see the Computershare Action simply dismissed.
5. Ms. Jank has brought a motion to dismiss the Computershare Action, and it appears that no party opposes that relief.
6. However, given the stay within the receivership order, Ms. Jank’s motion “sits in limbo” as her materials put it.
7. In addition, Ms. Jank has commenced her own action (on July 19, 2024), against EquityLine Mortgage Corp. and various others seeking to have the mortgage struck from her title and for damages caused by the alleged fraud.
8. That action is also stayed as a result of the receivership order.
9. In the circumstances, Ms. Jank wishes to proceed with both her motion to dismiss the Computershare action, which appears to be unopposed, and with her action to strike the mortgage from her title (and related relief).
10. Accordingly, she seeks to schedule a motion to lift the stay to permit her to proceed with those matters.
11. Ms. Jank’s counsel advises that he has been seeking the consent of the receiver since August of 2024 to proceed with both matters but has not received that consent.
12. Ms. Spence, who I believe may be newly on the record for the receiver, advises that the receiver does not oppose the dismissal of the Computershare action. With respect to the motion to strike the mortgage, Ms. Spence advises that the receiver is investigating a number of such allegations, and will at some point be in a position to advise of its position on all such items. For the moment, however, pending the completion of its investigation, it is not prepared to commit to a position on that matter.
13. The receiver is content that Ms. Jank’s motion to lift the stay be scheduled, and so that motion will proceed on May 13, 2025 at 1100 a.m. for one hour. It may be that the receiver will have formulated its overall position by then, but at the very least it can advise the court as to where matters stand.

- 14. In the meantime, with respect to the dismissal of the Computershare Action, it does not appear that there is any reason to wait, and so, assuming that I am understanding correctly that there is no opposition to this relief, I am prepared, relative to that matter, to lift the stay to allow for the consent (or unopposed) order to issue.
- 15. Counsel may provide a form of order for my consideration to accomplish the matters set out in this endorsement.



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**W.D. BLACK J.**

**DATED: MARCH 24, 2025**