



Court File No. CV-18-608978-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) THURSDAY, THE 11TH DAY
JUSTICE HAINES)
) OF JULY, 2019

**BRIDGING FINANCE INC., as agent for
2665405 ONTARIO INC.**

- and -

1033803 ONTARIO INC. AND 1087507 ONTARIO LIMITED

INTERIM DISTRIBUTION ORDER

THIS MOTION, made by KSV Kofman Inc., in its capacity as Court-appointed receiver and manager (in such capacity, the “**Receiver**”) of: (i) all of the assets, undertakings and properties of 1033803 Ontario Inc. operating as Forma-Con Construction and Forma Finishing (“**Forma-Con**”) and 1087507 Ontario Limited (together with Forma-Con, the “**Debtors**”); (ii) certain assets of Bondfield Construction Company Limited and Bondfield Construction Equipment Ltd (“**BCCL**”); and (iii) the real property known municipally as 131 Saramia Crescent, Vaughan, Ontario for an order, *inter alia*, approving an interim distribution to Bridging Finance Inc. (the “**Agent**”), as agent of 2665405 Ontario Inc. and approving the fees and disbursements set out in the Sixth Report, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Sixth Report of the Receiver dated July 4, 2019 (the “**Sixth Report**”) and Appendices thereto, and on hearing the submissions of counsel for the Receiver and such other

counsel as were present, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Cathy Pellegrini sworn July 5, 2019, filed and the affidavit of Siva Sivaperuman sworn July 5, 2019, filed,

1. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to distribute the amount of up to \$7.8 million to the Agent, or as the Agent may otherwise direct in writing.
2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and Receiver's counsel, as set out in the Sixth Report, are hereby approved.
3. **THIS COURT ORDERS** that the Sixth Report be and is hereby approved, and the actions and activities of the Receiver described therein be and they are hereby approved; provided, however, that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

GENERAL

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as

may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

SUPERIOR COURT OF JUSTICE
ENTERED

JUL 11 2019
[Handwritten mark]
COUR SUPÉRIEURE DE JUSTICE
ENTRÉ

Hainey J

BRIDGING FINANCE INC.,
as agent for **2665405 ONTARIO INC.**
Applicant

1033803 ONTARIO INC. and
1087507 ONTARIO LIMITED
Respondents

Court File No.

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ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceedings commenced in Toronto

INTERIM DISTRIBUTION ORDER
(Returnable JULY 11, 2019)

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Lawyers for KSV Kofman Inc.,
in its capacity as Court-appointed Receiver