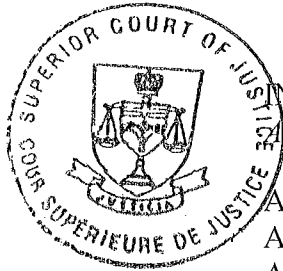


**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) MONDAY, THE 15th DAY
)
JUSTICE HAINEY) OF APRIL 2019



IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF FORME DEVELOPMENT GROUP INC.
AND THE OTHER COMPANIES LISTED ON SCHEDULE "A"
HERETO

APPLICATION UNDER THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

ANCILLARY ORDER

THIS MOTION, made by KSV Kofman Inc., in its capacity as Court-appointed monitor (in such capacity, the "**Monitor**") of 5507 River Development Inc. and 4439 John Development Inc. (collectively, the "**NF Applicants**") was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and the Monitor's Fourth Report dated April 8, 2019 (the "**Fourth Report**"), together with the appendices thereto, and on hearing the submissions of counsel for the Monitor 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 Aiden Nelms sworn April ⁸ [●], 2019, filed,

1. **THIS COURT ORDERS** that the Confidential Appendices to the Fourth Report shall be sealed and kept confidential pending further order of this Court.

2. **THIS COURT ORDERS** that following the delivery of the Monitor's Certificate contemplated by the Approval and Vesting Order granted on the date hereof, the Monitor is authorized and directed to:

- (a) first, make one or more distributions to pay TD Cornerstone Commercial Realty Inc.'s commission, being 1.75% of the sale price of the Real Property (as defined in the Fourth Report);
- (b) second, make one or more distributions to pay in full all of the property tax arrears relating to the Real Property;
- (c) third, make one or more distributions to the Home Trust Company ("**Home Trust**") until the amounts owing to Home Trust under its first registered mortgages on the Real Property are paid in full;
- (d) fourth, make one or more distributions to pay the fees and expenses owing to the Monitor, counsel for the Monitor and counsel for the Applicants relating to the administration of the CCAA proceedings for the NF Applicants;
- (e) fifth, make one or more distributions to each of Sentrrix Financial Corporation ("**Sentrrix**") and Niagara Falls Pointe General Partners, Inc. ("**NF Pointe**") until the amounts owing to Sentrrix and NF Pointe under their mortgages on the Real Property are paid in full; and

- (f) sixth, deposit the remaining funds, to the extent that there are any, into the Monitor's trust account pending completion of the claims process.

Harvey J.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

APR 15 2019

PER / PAR: *en*

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED
AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF FORME DEVELOPMENT GROUP INC. AND THE
OTHER COMPANIES LISTED ON SCHEDULE "A" HERETO (the "Applicants")

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

Proceeding commenced at Toronto

ANCILLARY ORDER

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Counsel to KSV Kofman Inc., solely in its
capacity as Court-appointed monitor and not
in its personal capacity