

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

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")

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

Estate File No. 31-2436568

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**MOTION RECORD OF YUAN HUA (MIKE) WANG  
(Re: Fee Approval)**

**Date:** March 16, 2021

**BLANEY McMURTRY LLP**  
Barristers and Solicitors  
1500 - 2 Queen Street East  
Toronto, ON M5C 3G5

**David Ullmann** (LSO #423571)  
Tel: (416) 596-4289  
Email: [dullmann@blaney.com](mailto:dullmann@blaney.com)

**Alex Fernet Brochu** (LSO #77644D)  
Tel: (416) 593-3937  
Email: [afernetbrochu@blaney.com](mailto:afernetbrochu@blaney.com)

Lawyers for Yuan Hua (Mike) Wang

**To:** The Service List

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

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

---

**SERVICE LIST**

---

**GOLDMAN SLOAN NASH & HABER LLP**

480 University Avenue, Suite 1600  
Toronto, ON M5G 1V2  
Fax: 416.597.3370

**Mario Forte** (LSUC #: 27293F)

Tel: 416.597.6477

Email: [forte@gsnh.com](mailto:forte@gsnh.com)

**Katie Parent**

Tel: 416.597.3375

Email: [parent@gsnh.com](mailto:parent@gsnh.com)

Lawyers for the Applicants

**KSV KOFMAN INC.**

150 King Street West, Suite 2308 Box 42  
Toronto, ON M5H 1J9

**Bobby Kofman**

Tel: 416.932.6228

Email: [bkofman@ksvadvisory.com](mailto:bkofman@ksvadvisory.com)

**David Sieradzki**

Tel: 416.932.6030

Email: [dsieradzki@ksvadvisory.com](mailto:dsieradzki@ksvadvisory.com)

Monitor

<p><b>BENNETT JONES LLP</b> 3400 One First Canadian Place P.O. Box 130 Toronto, ON M5X 1A4</p> <p><b>Sean Zweig</b> Tel: 416.777.6254 Email: <a href="mailto:zweigs@bennettjones.com">zweigs@bennettjones.com</a></p> <p><b>Aiden Nelms</b> Tel: 416.777.4642 Email: <a href="mailto:nelmsa@bennettjones.com">nelmsa@bennettjones.com</a></p> <p>Lawyers for the Monitor, KSV Kofman Inc.</p>	<p><b>ATTORNEY GENERAL OF CANADA</b> <b>Department of Justice Canada</b> <b>Ontario Regional Office, Tax Law Section</b> 120 Adelaide Street West, Suite 400 Toronto, ON</p> <p><b>Diane Winters</b> Tel: 647.256.7459 Email: <a href="mailto:diane.winters@justice.gc.ca">diane.winters@justice.gc.ca</a></p> <p><b>Pat Confalone</b> Tel: 416.952.8563 Email: <a href="mailto:Pat.Confalone@justice.gc.ca">Pat.Confalone@justice.gc.ca</a></p>
<p><b>MINISTRY OF FINANCE (ONTARIO)</b> Legal Services Branch 777 Bay Street, 11<sup>th</sup> Floor Toronto, ON M5G 2C8</p> <p><b>Steven Groeneveld</b> Tel: 416.433.5657 Email: <a href="mailto:steven.groeneveld@ontario.ca">steven.groeneveld@ontario.ca</a></p>	<p><b>JEFFREY W. LEM</b> 82 Old Kennedy Road Markham, ON L3R 0L6</p> <p><b>Jeffrey W. Lem</b> Tel: 647.629.1541 Email: <a href="mailto:jeffreywlem@gmail.com">jeffreywlem@gmail.com</a></p> <p>Lawyers for Wu's International Group Inc.</p>
<p><b>PALIARE ROLAND ROSENBERG ROTHSTEIN LLP</b> 155 Wellington Street West, 35th Floor Toronto, ON M5V 3H1</p> <p>Fax: 416.646.4301</p> <p><b>Jeffrey Larry (LSO# 44608D)</b> Tel: 416.646.4330 Email: <a href="mailto:jeff.larry@paliareroland.com">jeff.larry@paliareroland.com</a></p> <p><b>Massimo (Max) Starnino (LSO# #41048G)</b> Tel: 416.646.7431 Email: <a href="mailto:max.starnino@paliareroland.com">max.starnino@paliareroland.com</a></p> <p>Lawyers for the Respondent, First Source Financial Management Inc.</p>	<p><b>HARVEY MANDEL</b> 55 Queen Street East Suite 203 Toronto, ON M5C 1R6</p> <p><b>Harvey Mandel</b> Tel: 416.364.7717 Fax: 416.364.4813 Email: <a href="mailto:harvey@harvey-mandel.com">harvey@harvey-mandel.com</a></p> <p>Lawyer for Foremost Mortgage Holding Corporation</p>

**OSCAR C. WONG PROFESSIONAL CORPORATION LAWYERS**

Barristers & Solicitors  
330 Highway 7 East, Suite 503  
Richmond Hill, ON L4B 3P8

**Oscar Wong (LSO: 17233L)**

Tel: 905.881.2992  
Fax: 905.881.8856  
Email: [info@ocwlaw.com](mailto:info@ocwlaw.com)

Lawyer for U-Feel Inc.

**SPIEGEL NICHOLS FOX LLP**

1 Robert Speck Parkway, Suite 200  
Mississauga, ON L4Z 3M3

**Irving Fox (LSO# 20590C)**

Tel.: 905.366.9700 x 223  
Fax: 905.366.9707  
Email: [irving@ontlaw.com](mailto:irving@ontlaw.com)

Lawyers for Matthew Castelli

**CHAITONS LLP**

5000 Yonge St., 10<sup>th</sup> Floor  
Toronto, ON M2N 7E9

**George Benchetrit**

Tel: 416.218.1141  
Fax: 416.218.1841  
Email: [george@chaitons.com](mailto:george@chaitons.com)

Lawyers for Home Trust Company

**HOME TRUST COMPANY**

145 King St. W., Suite 2300  
Toronto, ON M5H 1J8

**Mark Hemingway**

Email: [mark.hemingway@hometruster.ca](mailto:mark.hemingway@hometruster.ca)

**ROBINS APPLEBY**

Barristers & Solicitors  
120 Adelaide Street, West  
Toronto, ON M5H 1T1  
Fax: 416.868.0306

**Dominique Michaud**

Tel: 416.360.3795  
Email: [dmichaud@robapp.com](mailto:dmichaud@robapp.com)

**Jonathan Preece**

Tel: 416.360.3705  
Email: [jpreece@robapp.com](mailto:jpreece@robapp.com)

Lawyers for 2586614 Ontario Inc., 2592898 Ontario Inc., 2620094 Ontario Inc., 2627235 Ontario Inc., 2638796 Ontario Inc., 2646429 Ontario Inc., 2603616 Ontario Inc., 2611622 Ontario Inc., 10226190 Canada Ltd., 2557725 Ontario Inc., 2612316 Ontario Inc., Wenguang Liu and Yan Yan

**GOWLING WLG (CANADA) LLP**

1 First Canadian Place,  
100 King Street West, Suite 1600  
Toronto, ON M5X 1G5  
Fax: 416.862.7661

**David F.W. Cohen**

Tel: 416.369.6667  
Email: [David.Cohen@gowlingwlg.com](mailto:David.Cohen@gowlingwlg.com)

**Clifton P. Prophet**

Tel: 416.862.3509.  
Email: [clifton.prophet@gowlingwlg.com](mailto:clifton.prophet@gowlingwlg.com)

**Thomas Gertner**

Tel: 416.290.1877  
Email: [thomas.gertner@gowlingwlg.com](mailto:thomas.gertner@gowlingwlg.com)

Lawyers for Vector Financial Services Limited

**VECTOR FINANCIAL SERVICES LIMITED**

245 Eglinton Avenue East, Suite 400  
Toronto, ON M4P 3B7

**Noah Mintz**

Tel: 416.483.4367  
Email: [noah@vectorfinancialservices.com](mailto:noah@vectorfinancialservices.com)

**Mitchell Oelbaum**

Tel: 416.482.3861  
Email: [mitchell@vectorfinancialservices.com](mailto:mitchell@vectorfinancialservices.com)

**COMMUNITY TRUST COMPANY**

2350 Matheson Boulevard East  
Mississauga, ON L4W 5G9

**Kateryna Yason**

Tel: 416.763.2291 ext 282  
Email: [KYason@CommunityTrust.ca](mailto:KYason@CommunityTrust.ca)

**ROSEN FROMSTEIN LLP**

Barristers & Solicitors  
1 St. Clair Avenue West  
Suite 1101  
Toronto, ON M4V 1K6

**Scott A. Rosen**

Tel: 416.867.9500

Fax: 416.867.9091

Email: [scott@rflaw.ca](mailto:scott@rflaw.ca)

Lawyer for Xin Cai, Dingping Cheng, Weiguo Dai,  
Qing Ying Wu, Hongbing Xie, Linghong Kong and  
Shepherd Estate Partnership

**POTESTIO LAW**

Barristers and Solicitors  
4600 Highway 7, Suite 206  
Woodbridge, ON L4L 4Y7

**Anthony J. Potestio**

Tel: 905.850.2642

Fax: 905.850.8544

Email: [tony@potestiolaw.com](mailto:tony@potestiolaw.com)

**MILLER THOMSON LLP**

Scotia Plaza  
40 King Street West, Suite 5800  
P.O. Box 1011  
Toronto, Ontario M5H 3S1

**Jeffrey Carhart**

Tel: 416.595.8615

Email: [jcarhart@millerthomson.com](mailto:jcarhart@millerthomson.com)

Lawyers for Solaris Holdings Inc.

**KEYSER MASON BALL, LLP**

3 Robert Speck Pkwy #900  
Mississauga, ON L4Z 2G5

**Yuce Baykara**

Tel: 905.276.0427

Fax: 647.276.0427

Email: [ybaykara@kmbllaw.com](mailto:ybaykara@kmbllaw.com)

**BORDEN LADNER GERVAIS LLP**

Bay Adelaide Centre, East Tower  
22 Adelaide Street West, Suite 3400  
Toronto, ON M5H 4E3  
Fax: 416.367.6749

**James MacLellan**

Tel: 416.367.6592

Email: [jmaclellan@blg.com](mailto:jmaclellan@blg.com)

**Valerie Calvano**

Tel: 416.367.6622

Email: [VCalvano@blg.com](mailto:VCalvano@blg.com)

Lawyers for Trisura Guarantee Insurance  
Company

<p><b>UNGER LAW</b> 1206 Centre St - Suite 204 Vaughan, ON L4J 3M9 Tel: 289-637-9811 Fax: 289-637-9812</p> <p><b>Andrew Unger</b> Email: <a href="mailto:andrew@ungerlaw.ca">andrew@ungerlaw.ca</a></p> <p><b>Eli Steinberg</b> Email: <a href="mailto:eli@ungerlaw.ca">eli@ungerlaw.ca</a></p> <p>Lawyers for DX Financial Ltd.</p>	
<p><b>THORNTON GROUT FINNIGAN LLP</b> TD West Tower, Toronto-Dominion Centre 100 Wellington St. West, Suite 3200 Toronto, ON M5K 1K7 Fax: 416.304.1313</p> <p><b>D.J. Miller</b> Tel: 416.304.0559 Email: <a href="mailto:djmiller@tgf.ca">djmiller@tgf.ca</a></p> <p>Litigation Counsel for Wu's International Group Inc.</p>	<p><b>HODDER, WANG LLP</b> Adelaide Place 181 University Ave., Suite 2200 Toronto, ON M5H 3M7</p> <p><b>Yan Wang</b> Tel: 416.601.6814 Fax: 416.947.0909 Email: <a href="mailto:ywang@hwlawyers.ca">ywang@hwlawyers.ca</a></p> <p>Lawyers for Canada Access Capital</p>

**MEYER, WASSENAAR & BANACH LLP**

301-5001 Yonge St. Royal Bank Bldg.  
North York, ON M2N 6P6

**Joseph Fried**

Tel: 416.223.9191 Ext: 230

Fax: 416.223.9405

Email: [jfried@mwb.ca](mailto:jfried@mwb.ca)

Lawyer for Windsor Family Credit Union

**WEISZ FELL KOUR LLP**

100 King Street West, Suite 5600  
Toronto, ON M5X 1C9

**Steve Weisz**

Tel: 416.613.8281

Email: [sweisz@wfklaw.ca](mailto:sweisz@wfklaw.ca)

**Caitlin Fell**

Tel: 416.613.8282

Email: [cfell@wfklaw.ca](mailto:cfell@wfklaw.ca)

**ABRAHAMS LLP**

385 Silver Star Blvd, Suite 215

Toronto, ON M1V 0E3

Fax: 416.291.8784

**Waseem Mohammed**

Tel: 416.898.1507

Email: [waseem@abrahamsllp.com](mailto:waseem@abrahamsllp.com)

Lawyers for All Season Recycle Inc.

**MONEYBROKER CANADA -MORTGAGE  
ARCHITECTS**

4400 Hwy 7 E. (Kennedy/ Hwy 7)  
Markham, Ont. L3R 1M2

**Christine Xu**

Tel: 905.305.8499

Fax: 905.305.8982

Email: [cxu@moneybroker.ca](mailto:cxu@moneybroker.ca)

**Ping Tan**

Email: [pingt.tan@gmail.com](mailto:pingt.tan@gmail.com)

Fortune 8 Real Estate Inc.

**SCHNEIDER RUGGIERO LLP**

120 Adelaide Street West, Suite 1000

Toronto, ON M5H 3V1

**George N. Ruggiero**

Tel: 416-363-2211

Email: [gruggiero@SRlawpractice.com](mailto:gruggiero@SRlawpractice.com)

Lawyers for 2611809 Ontario Inc.



<p><b>YI ZHOU LAW FIRM</b> 100 Cowdray Court, Suite 209 Toronto, ON M1S 5C8</p> <p><b>Yi Zhou</b> Tel: 416.916.2068 Email: <a href="mailto:yizhoulawoffice@yahoo.ca">yizhoulawoffice@yahoo.ca</a></p>	<p><b>GARFINKLE, BIDERMAN LLP</b> 1 Adelaide Street East, Suite 801 Toronto, ON M5C 2V9</p> <p><b>Barry Polisuk</b> Tel: 416.869.7610 Email: <a href="mailto:bpolisuk@garfinkle.com">bpolisuk@garfinkle.com</a></p> <p><b>Rachael Kwan</b> Tel: 416.869.7652 Email: <a href="mailto:rkwan@garfinkle.com">rkwan@garfinkle.com</a></p> <p>Lawyers for Empirical Capital Corp.</p>
<p><b>LORA PAPAICONOMOU</b></p> <p>Email: <a href="mailto:papaikonomou@sympatico.ca">papaikonomou@sympatico.ca</a></p>	
<p><b>MORRISON FINANCIAL</b> 8 Sampson Mews, North York, ON M3C 0H5</p> <p><b>David Morrison</b> Tel: 416.391.3535 Email: <a href="mailto:dmorrison@morrisonfinancial.com">dmorrison@morrisonfinancial.com</a></p> <p><b>Alenna Emer</b> Tel: 416.391.3535 ext 108 Email: <a href="mailto:aemer@morrisonfinancial.com">aemer@morrisonfinancial.com</a></p>	<p><b>CRANSON CAPITALSOLUTIONS INC. and CRANSON CAPITAL SECURITIES INC.</b> 20 Adelaide Street East, Suite 501 Toronto, ON M5C 2T6</p> <p><b>Devon Cranson</b> Tel: 416.595.5550 ext. 4056 Fax: 416.981.3536 Email: <a href="mailto:Devon@cransoncapital.com">Devon@cransoncapital.com</a></p>

<p><b>DAVID BYON LAW OFFICE</b> Barrister and Solicitor 2008-15 Greenview Avenue Toronto, ON M2M 4M7</p> <p><b>David Byon</b> Tel: 416.899.2503 Fax: 647.689.2834 Email: <a href="mailto:davidbyon2007@gmail.com">davidbyon2007@gmail.com</a></p> <p>Lawyer for 348 Mortgage Investments</p>	<p><b>ROSEN FROMSTEIN LLP</b> Barristers &amp; Solicitors 1 St. Clair Avenue West Suite 1101 Toronto, ON M4V 1K6</p> <p><b>Scott A. Rosen</b> Tel: 416.867.9500 Fax: 416.867.9091 Email: <a href="mailto:scott@rflaw.ca">scott@rflaw.ca</a></p> <p>Lawyer for Antonio Finelli, Donato Finelli and Fausto Finelli</p>
<p><b>TORYS LLP</b> 79 Wellington St. W., Suite 3000 Box 270, TD Centre Toronto, ON M5K 1N2</p> <p><b>Adam Slavens</b> Tel: 416.865.7333 Email: <a href="mailto:aslavens@torys.com">aslavens@torys.com</a></p> <p>Lawyers for Tarion Warranty Corporation</p>	<p><b>DX FINANCIAL (CANADA) LTD.</b> 405-7100 Woodbine Ave. Markham, ON L3R 5J2</p> <p><b>Robert Xu</b> Tel: 416.948.9917 Fax: 416.800.2142 Email: <a href="mailto:robertx@dxfinance.ca">robertx@dxfinance.ca</a></p>
<p><b>RAMONA HAYNES</b></p> <p>Tel: 416.577.0903 Email: <a href="mailto:novamckay@msn.com">novamckay@msn.com</a></p>	<p><b>RENE DELGADO</b></p> <p>Tel: 416.451.2150 Email: <a href="mailto:deltanica1968@gmail.com">deltanica1968@gmail.com</a></p>
<p><b>CANDIA MODESTE</b></p> <p>Tel: 289.200.4611 Email: <a href="mailto:jcmhope@gmail.com">jcmhope@gmail.com</a></p>	<p><b>BEVERLEY BENNETT</b></p> <p>Tel: 416.531.3794 Email: <a href="mailto:beverleyb_99@yahoo.com">beverleyb_99@yahoo.com</a></p>

**THE UNOFFICIAL REPRESENTATIVE  
COMMITTEE FOR THE CHINESE  
CREDITOR COMMUNITY OF 250  
DANFORTH DEVELOPMENT INC. & 3310  
KINGSTON DEVELOPMENT INC.**

**Yingguo Ai, Coordinator**

Tel: 647.267.7972

Email: [aiyg88@hotmail.com](mailto:aiyg88@hotmail.com)

**Additional Representatives:**

Email: [z\\_henry@hotmail.com](mailto:z_henry@hotmail.com)  
[Hu\\_0201@hotmail.com](mailto:Hu_0201@hotmail.com)  
[meiminh@hotmail.com](mailto:meiminh@hotmail.com)  
[celine7325@gmail.com](mailto:celine7325@gmail.com)  
[minglan@hotmail.com](mailto:minglan@hotmail.com)  
[lihary@yahoo.com](mailto:lihary@yahoo.com)  
[jameszhan71@gmail.com](mailto:jameszhan71@gmail.com)  
[gumin4218@gmail.com](mailto:gumin4218@gmail.com)  
[xu\\_huijuan@yahoo.ca](mailto:xu_huijuan@yahoo.ca)  
[IvyChen168@gmail.com](mailto:IvyChen168@gmail.com)  
[trust.secure@gmail.com](mailto:trust.secure@gmail.com)  
[whhk111@gmail.com](mailto:whhk111@gmail.com)  
[ray88xu@gmail.com](mailto:ray88xu@gmail.com)  
[haibinhu6@hotmail.com](mailto:haibinhu6@hotmail.com)  
[whsu2002@yahoo.ca](mailto:whsu2002@yahoo.ca)  
[rommiewen@hotmail.com](mailto:rommiewen@hotmail.com)  
[jameszhan71@gmail.com](mailto:jameszhan71@gmail.com)  
[janice\\_zhang@hotmail.com](mailto:janice_zhang@hotmail.com)  
[angelcj2012@gmail.com](mailto:angelcj2012@gmail.com)  
[yuanceci@yahoo.ca](mailto:yuanceci@yahoo.ca)  
[catherinewang789@gmail.com](mailto:catherinewang789@gmail.com)  
[huiw775@hotmail.com](mailto:huiw775@hotmail.com)  
[hanjie7963@gmail.com](mailto:hanjie7963@gmail.com)  
[wanjingyan@hotmail.com](mailto:wanjingyan@hotmail.com)  
[yangruibox@yahoo.com](mailto:yangruibox@yahoo.com)  
[jinshan\\_zhang@hotmail.com](mailto:jinshan_zhang@hotmail.com)  
[janegao3@gmail.com](mailto:janegao3@gmail.com)  
[andyguca@gmail.com](mailto:andyguca@gmail.com)  
[richard.zhou28@gmail.com](mailto:richard.zhou28@gmail.com)  
[angelcj2012@gmail.com](mailto:angelcj2012@gmail.com)

**LAISHLEY REED LLP**

3 Church Street, Suite 505  
Toronto, ON M5E 1M2

**Calvin Ho**

Tel: 416.981.9430

Fax: 416.981.0060

Email: [cho@laihshleyreed.com](mailto:cho@laihshleyreed.com)

Lawyers for the Unofficial Representative Committee  
for the Chinese Creditor Community of 250 Danforth  
Development Inc.

<p><b>KAREN KING</b></p> <p>Tel: 416.655.9661 Email: <a href="mailto:karenkingconsulting@gmail.com">karenkingconsulting@gmail.com</a></p>	<p><b>DOMINIC AMANN</b></p> <p>Email: <a href="mailto:dominic.amann@gmail.com">dominic.amann@gmail.com</a></p>
<p><b>KAREN NAIR</b></p> <p>Email: <a href="mailto:karenmcnair4@gmail.com">karenmcnair4@gmail.com</a></p>	<p><b>MACDONALD SAGER MANIS LLP</b> 150 York Street, Suite 800 Toronto, ON M5H 3S5</p> <p><b>Jackie Bartlett</b></p> <p>Tel: 416.364.1553 Fax: 416.364.1453 Email: <a href="mailto:jbartlett@msmlaw.net">jbartlett@msmlaw.net</a></p> <p>Lawyers for Vera Kevic</p>
<p><b>M. KING</b></p> <p>Email: <a href="mailto:mrjking@gmail.com">mrjking@gmail.com</a></p>	<p><b>KRISH NAIR</b></p> <p>Email: <a href="mailto:krish.nair.nh@gmail.com">krish.nair.nh@gmail.com</a></p>
<p><b>SHIRMETTE TEMPRAL</b></p> <p>Email: <a href="mailto:maushirn@gmail.com">maushirn@gmail.com</a></p>	<p><b>SHARON CHAMPAGNIE</b></p> <p>Email: <a href="mailto:shar.champ@hotmail.com">shar.champ@hotmail.com</a></p>
<p><b>DAWNETTE DENNIS</b></p> <p>Email: <a href="mailto:timeless1515@gmail.com">timeless1515@gmail.com</a></p>	<p><b>STEVE DARTEH</b></p> <p>Email: <a href="mailto:darteh@yahoo.com">darteh@yahoo.com</a></p>

<p><b>LITMAN LAW</b> 3075 14<sup>TH</sup> Avenue Suite 216 Markham, ON L3R 0G9</p> <p><b>Cass I. Litman</b> Tel: 905.258.0051 Email: <a href="mailto:casslitman@litmanlaw.ca">casslitman@litmanlaw.ca</a></p> <p>Lawyers for Gladstone Media Inc.</p>	<p><b>CENTURY 21 LEADING EDGE REALTY INC.</b> 165 Main Street North Markham, ON L3P 1Y2</p> <p><b>Maria Mouratidis</b> Tel: 905.499.2825 Email: <a href="mailto:maria.mouratidis@century21.ca">maria.mouratidis@century21.ca</a></p>
<p><b>TRISURA GUARANTEE INSURANCE COMPANY</b></p> <p><b>Victor Bandiera</b> Tel: (416) 607-2123 Email : <a href="mailto:victor.bandiera@trisura.com">victor.bandiera@trisura.com</a></p> <p><b>Stuart Detsky</b> Tel : (416) 607-2165 Email : <a href="mailto:stuart.detsky@trisura.com">stuart.detsky@trisura.com</a></p>	<p><b>TOMASZ STAPF</b> 44 Trish Drive Richmond Hill, ON L4E 5C4</p> <p>Tel: 416.953.1786 Email: <a href="mailto:tomasz.stapf@gmail.com">tomasz.stapf@gmail.com</a></p>
<p><b>YUAN HUA WANG</b> 7100 Woodbine Ave., Suite 206 Markham, ON L3R 5J2</p> <p>Tel: 905.604.5766 Fax: 905.604.5768 Email: <a href="mailto:mike@formedevelopmentgroup.com">mike@formedevelopmentgroup.com</a></p>	<p><b>GARDINER ROBERTS</b> Bay Adelaide Centre 22 Adelaide St. W., Suite 3600 Toronto, ON M5H 4E3</p> <p><b>Chris Besant</b> Tel: 416.865.4022 Fax: 416.865.6636 Email: <a href="mailto:cbesant@grllp.com">cbesant@grllp.com</a></p> <p>Lawyers for the Non-Applicant Affiliates</p>

<p><b>THORNTON GROUT FINNIGAN LLP</b> TD West Tower, Toronto-Dominion Centre 100 Wellington St. West, Suite 3200 Toronto, ON M5K 1K7 Fax: 416.304.1313</p> <p><b>D.J. Miller</b> Tel: 416.304.0559 Email: <a href="mailto:djmiller@tgf.ca">djmiller@tgf.ca</a></p> <p><b>Alexander Soutter</b> Tel: 416.304.0595 Email: <a href="mailto:asoutter@tgf.ca">asoutter@tgf.ca</a></p> <p>Lawyers for Ferina Construction Limited</p>	<p><b>KOSKIE MINSKY LLP</b> 20 Queen Street West Suite 900, Box 52 Toronto, ON M5H 3R3</p> <p><b>James Harnum</b> Tel: 416-542-6285 Fax: 416-204-2819 Email: <a href="mailto:jharnum@kmlaw.ca">jharnum@kmlaw.ca</a></p> <p>Representative Counsel for the Birchmount Purchasers</p>
<p><b>JOHNNY LUONG</b></p> <p>Email: <a href="mailto:luongj@olympiatrust.com">luongj@olympiatrust.com</a> <a href="mailto:rspmortgagelegal@olympiatrust.com">rspmortgagelegal@olympiatrust.com</a> <a href="mailto:johnsons@olympiatrust.com">johnsons@olympiatrust.com</a></p>	<p><b>JASON HUANG LAW OFFICE</b> 7800 Woodbine Avenue, Suite 303 Markham, Ontario L3R 2N7</p> <p><b>Jason Huang</b> Tel: 416-222-5588 Fax: 855-867-1472 Email: <a href="mailto:jasonhuang@lawyer.com">jasonhuang@lawyer.com</a></p> <p>Lawyers to certain syndicated mortgage investors</p>
<p><b>HONG XIE AND GORDON NG</b></p> <p>Email: <a href="mailto:moonriver518@hotmail.com">moonriver518@hotmail.com</a></p>	

## EMAIL ADDRESS LIST

forte@gsnh.com; parent@gsnh.com; bkofman@ksvadvisory.com; dsieradzki@ksvadvisory.com;  
zweigs@bennettjones.com; diane.winters@justice.gc.ca; steven.groeneveld@ontario.ca;  
jeffreywlem@gmail.com; jeff.larry@paliarerland.com; max.starnino@paliarerland.com;  
irving@ontlaw.com; harvey@harvey-mandel.com; info@ocwlaw.com; george@chaitons.com;  
David.Cohen@gowlingwlg.com; clifton.prophet@gowlingwlg.com; dmichaud@robapp.com;  
jpreece@robapp.com; ybaykara@kmlaw.com; jmaclellan@blg.com; VCalvano@blg.com;  
tony@potestiola.com; scott@rflaw.ca; andrew@ungerlaw.ca; eli@ungerlaw.ca;  
ywang@hwlawyers.ca; DJMiller@tgf.ca; sweisz@wfkaw.ca; nelmsa@bennettjones.com;  
cfell@wfkaw.ca; jcarhart@millerthomson.com; jfried@mwb.ca; waseem@abrahamsllp.com;  
pingt.tan@gmail.com; cxu@moneybroker.ca; noah@vectorfinancialservices.com;  
mitchell@vectorfinancialservices.com; gruggiero@SRlawpractice.com; yizhoulawoffice@yahoo.ca;  
mark.hemingway@hometrust.ca; bpolisuk@garfinkle.com; rkwan@garfinkle.com;  
papaikonomou@sympatico.ca; KYason@CommunityTrust.ca; dmorrison@morrisonfinancial.com;  
aemer@morrisonfinancial.com; davidbyon2007@gmail.com; Devon@cransoncapital.com;  
robertx@dxfinance.ca; aslavens@torys.com; novamckay@msn.com; deltanica1968@gmail.com;  
jcmhope@gmail.com; beverleyb\_99@yahoo.com; aiyg88@hotmail.com; z\_henry@hotmail.com;  
Hu\_0201@Hotmail.com; meiminh@hotmail.com; celine7325@gmail.com; minglan@hotmail.com;  
lihary@yahoo.com; jameszhan71@gmail.com; gumin4218@gmail.com; xu\_huijuan@yahoo.ca;  
IvyChen168@gmail.com; trust.secure@gmail.com; whhk111@gmail.com; ray88xu@gmail.com;  
haibinhu6@hotmail.com; whsu2002@yahoo.ca; hchtrieu@gmail.com; rommiewen@hotmail.com;  
jameszhan71@gmail.com; janice\_zhang@hotmail.com; angelcj2012@gmail.com;  
yuanceci@yahoo.ca; catherinewang789@gmail.com; karenkingconsulting@gmail.com;  
dominic.amann@gmail.com; karenmcnair4@gmail.com; mrjking@gmail.com;  
krish.nair.nh@gmail.com; maushirn@gmail.com; shar.champ@hotmail.com;  
timeless1515@gmail.com; darteh@yahoo.com; huiw775@hotmail.com; hanjie7963@gmail.com;  
wanjingyan@hotmail.com; yangruibox@yahoo.com; jinshan\_zhang@hotmail.com;  
janegao3@gmail.com; andyguca@gmail.com; richard.zhou28@gmail.com; angelcj2012@gmail.com;  
casslitman@litmanlaw.ca; maria.mouratidis@century21.ca; victor.bandiera@trisura.com;  
stuart.detsky@trisura.com; tomasz.stapf@gmail.com; jharnum@kmlaw.ca;  
rrspmortgagelegal@olympiatrust.com; johnsons@olympiatrust.com; luongj@olympiatrust.com;  
cho@laishleyreed.com; jasonhuang@lawyer.com; moonriver518@hotmail.com;  
mike@formedevdevelopmentgroup.com; cbesant@grllp.com; jbartlett@msmlaw.net;  
thomas.gertner@gowlingwlg.com; kamwaipang@gmail.com; asoutter@tgf.ca;  
Pat.Confalone@justice.gc.ca; legal@questtrade.com;

# INDEX



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

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")

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

Estate File No. 31-2436568

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**INDEX**

<b>Tab</b>	<b>Document</b>
1	Notice of Motion and Schedule "A", dated March 16, 2021
2	Affidavit of Ariyana Botejue, sworn March 15, 2021
A	Exhibit "A" – Blaney's Outstanding Statement of Account
B	Exhibit "B" – Letter to Justice Hainey, dated February 23, 2021
C	Exhibit "C" – Email to the Service List, dated February 24, 2021
3	Proposed Draft Order

**TAB 1**

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

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")

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

Estate File No. 31-2436568

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**NOTICE OF MOTION**

**THE MOVING PARTY, Yuan Hua (Mike) Wang** (“**Mr. Wang**”), will make a motion to the Court to be heard, on a date to be set by the Commercial List, at 10:00 a.m., or as soon after that time as the motion can be heard.

**PROPOSED METHOD OF HEARING:** The motion is to be heard by videoconference as a result of the COVID-19 pandemic.

## **THE MOTION IS FOR:**

1. An Order substantially in the form attached at Tab 3 of the Motion Record:
  - a) if necessary, abridging the time for and validating the service of the Notice of Motion and Motion Record, so that this motion is properly returnable on the date set by the Commercial List; and
  - b) authorizing and directing that the outstanding fees and disbursements of Blaney McMurtry LLP ("**Blaneys**"), the amounts of which are attached in Schedule "A", be paid from funds held in trust by Bennett Jones LLP ("**Bennett Jones**") pursuant to an order of the Honourable Justice Hainey dated February 20, 2020 (the "**Ancillary Order**").
2. The costs of this motion.
3. Such further and other relief as this Honourable Court may deem just.

## **THE GROUNDS FOR THE MOTION ARE:**

### **Background**

4. Mr. Wang is the founder, sole shareholder, director and CEO of Forme Development Group (the "**Forme Group**"), a commercial and residential real estate development group specializing in low-rise, high-rise, mixed-use and hospitality developments. Forme Group owns various real estate development projects in Ontario.
5. On or about November 30, 2018, certain of the Forme Group entities (the "**Applicant Companies**") filed for protection under the *Companies' Creditors Arrangement Act*, RSC

1985, c. C-35, as amended ("**CCAA**") (the "**CCAA Proceedings**");

6. Three other Forme Group entities filed Notices of Intention to Make Proposals under the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3 ("**BIA**") (the "**NOI Entities**");

### **The Proposal**

7. On January 28, 2020, prior to retaining Blaneys as counsel, Mr. Wang filed a Notice of Intention to Make a Proposal in the NOI Proceeding.
8. In February 2020, Mr. Wang retained Blaneys to provide him with insolvency advice, and to assist with preparing a proposal to his creditors.
9. On March 27, 2020, a proposal was filed by Mr. Wang (the "**Proposal**"), and the first meeting of creditors was scheduled for April 16, 2020.
10. On March 31, 2020, the Honourable Justice Hainey heard the motion of Ferina Construction Limited for an order, *inter alia*, declaring that the Proposal was deemed to be refused by creditors (the "**Ferina Motion**").
11. On April 15, 2020, the day before the first meeting of creditors was scheduled to take place, the Honourable Justice Hainey released His decision on the Ferina Motion, and determined the Proposal should not proceed.
12. Blaneys acted as counsel for Mr. Wang during the period ranging from February to April 2020 and incurred fees in drafting and preparing the Proposal, preparing for and arguing the Ferina Motion, and preparing for the first meeting of creditors.
13. Fees and disbursements in the amounts listed in Schedule "A" herein remain outstanding.

14. Blaneys is not seeking to have the totality of the fees incurred paid from the Surplus Funds, only the portion of those fees that remains outstanding.

### **The Surplus Funds**

15. At the time that the Applicant Companies filed for protection, they owned properties in respect of 18 real estate development project (the “**Projects**”);
16. All of the Projects were heavily financed with single or multiple mortgages (the “**Mortgages**”);
17. Creditors have advised that Mr. Wang had personally guaranteed the mortgages, including the first and second mortgages on properties that are subject to the CCAA Proceedings and on properties that are not subject to these CCAA Proceedings (the “**Non-Applicant Properties**”);
18. The Projects owned by the Non-Applicants have been sold by their first mortgagee or the relevant member of Forme Group. Pursuant to an undertaking dated March 11, 2019 (the “**Undertaking**”), and up and until the Ancillary Order, Cassels Brock & Blackwell LLP (“**Cassels**”) was holding in trust the proceeds of sale of the Non-Applicants, after payment of closing costs and the applicable Mortgages (the “**Surplus Funds**”).
19. The Ancillary Order amended the Undertaking to direct Cassels to transfer the Surplus Funds to Bennett Jones, counsel for KSV Restructuring Inc., in its capacity as Court-appointed monitor.
20. Mr. Wang is currently bankrupt, and the only source of funding for Blaneys are the funds

in the Surplus Funds. As of February 18, 2021, Bennett Jones was holding \$3.5 million.

### **Similar Motions Granted**

21. Previous counsel to Mr. Wang, James H. Grout Professional Corporation and Lerner LLP (“**Former Counsel**”), brought a motion originally returnable March 30, 2020 for an order to pay their outstanding fees and disbursements incurred as former counsel for Mr. Wang from the Surplus Funds.
22. Due to the COVID-19 pandemic, the motion only proceeded on August 27, 2020, and by Order granted that same day, the Honourable Justice Hainey authorized and directed Bennett Jones to pay from the Surplus Funds the outstanding fees and disbursements of Former Counsel.
23. Blaneys was not served with the materials related to this motion, and would have otherwise attended and sought similar relief.
24. By letter to the Court dated February 23, 2021, Blaneys advised of its intention to seek payment of its fees from the Surplus Funds and to make submissions to that effect at the hearing scheduled for February 25, 2021. This letter was served on the Service List on February 24, 2021, and Blaneys received no objections after doing so.
25. Blaneys attended before the Court on February 25, 2021, and the Honourable Justice Hainey advised it would be appropriate for Blaneys to provide further notice of its intention to seek payment of its fees by serving a motion record on the Service List.
26. Blaneys is in a similar position as Former Counsel, and respectfully requests an Order

similar to the one granted on August 27, 2020.

27. Rules 1.04, 1.05, 2.01 and 37 of the *Rules of Civil Procedure*, RRO 1990, Reg 194.
28. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the application:

1. The Affidavit of Ariyana Botejue, sworn March 15, 2021;
2. The Sixteenth Report of KSV as Monitor and Twelfth Report of KSV as Proposal Trustee, dated February 18, 2021, already filed;
3. The Fourteenth Report of KSV as Monitor and Tenth Report of KSV as Proposal Trustee, dated August 19, 2020, already filed
4. Such further and other evidence as this Honourable Court may permit.

**Date:** March 16, 2021

**BLANEY McMURTRY LLP**  
Barristers and Solicitors  
1500 - 2 Queen Street East  
Toronto, ON M5C 3G5

**David Ullmann** (LSO #423571)  
Tel: (416) 596-4289  
Email: [dullmann@blaney.com](mailto:dullmann@blaney.com)

**Alex Fernet Brochu** (LSO #77644D)  
Tel: (416) 593-3937  
Email: [afernetbrochu@blaney.com](mailto:afernetbrochu@blaney.com)

**To:** The Service List

Lawyers for Yuan Hua (Mike) Wang



**SCHEDULE "A"**

**Court File No. CV-18-608313-00CL**

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

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 FORMER DEVELOPMENT GROUP INC. AND THE OTHER COMPANIES LISTED ON SCHEDULE "A" HERETO (the "**Applicants**")

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

**Estate File No. 31-2436568**

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**SCHEDULE "A" – FEES & DISBURSEMENTS OF BLANEY MCMURTRY LLP**

<b>DATE OF INVOICE/STATEMENT</b>	<b>ITEM</b>	<b>SUB-TOTAL</b>
May 22, 2020	Fees and Disbursements for the period of February 11, 2020 to April 17, 2020	\$21,121.54
March 15, 2021	Interest Accrued	\$309.01
	<b>TOTAL:</b>	<b>\$21,430.55</b>

**TAB 2**

**Court File No. CV-18-608313-00CL**

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

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")

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

**Estate File No. 31-2436568**

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**AFFIDAVIT OF ARIYANA BOTEJUE  
(Sworn March 15, 2021)**

I, **ARIYANA BOTEJUE**, of the City of Toronto, in the Province of Ontario, **AFFIRM AND  
SAY AS FOLLOWS:**

1. I am employed by Blaney McMurtry LLP ("**Blaneys**"), and the legal assistant to Mr. David T. Ullmann, counsel to the sole shareholder of the Applicants, Yuan Hua (Mike) Wang. As such, I have knowledge of the matters to which I herein depose.

2. Where I make statements in this affidavit which are not within my personal knowledge, I have identified the source of that information and belief.
3. On January 28, 2020, before Blaneys was retained, Mr. Wang filed a Notice of Intention to Make a Proposal in the NOI proceedings involving certain entities that were part of Forme Development Group Inc., but that are not subject to the CCAA Proceedings or the BIA Proceedings (the “**Non-Applicants**”).
4. In late February 2020, Mr. Wang retained Blaneys to assist him with preparing and filing said proposal (the “**Proposal**”).
5. Mr. Wang filed the Proposal on March 27, 2020. On April 15, 2020, the Court made an order whereby the Proposal was deemed to be rejected by Mr. Wang’s creditors, and Mr. Wang was deemed to have made an assignment in bankruptcy.
6. Blaneys currently has \$21,430.55 outstanding in legal fees and disbursements incurred on behalf of Mr. Wang (the “**Blaneys Outstanding Account**”). A copy of the Statement of Account for the Blaneys Outstanding Account is attached hereto and marked as **Exhibit “A”**.
7. Mr. Wang is currently bankrupt.
8. By letter dated February 23, 2021 (the “**February Letter**”), Mr. Ullmann advised the Honourable Justice Hainey that when previous counsel for Mr. Wang proceeded with a motion seeking payment of outstanding fees and disbursements, Blaneys was not served, and would have otherwise attended and sought similar relief. Mr. Ullmann also advised of Blaneys’ intention to make submissions seeking payment of the Blaneys Outstanding Account at the hearing scheduled

before His Honour on February 25, 2021. A copy of said letter is attached hereto and marked as **Exhibit “B”**.

9. On February 24, 2021, Mr. Ullmann served the February Letter on the Service List. A copy of this correspondence is attached hereto and marked as **Exhibit “C”**.

10. I am advised by Mr. Ullmann and verily believe to be true that he received no objections after serving the February Letter.

11. I am advised by Mr. Ullmann and verily believe to be true that on February 25, 2021, the Honourable Justice Hainey requested that a formal motion record be served on the Service List for the relief sought.

12. I make this affidavit in support of the relief sought in the Notice of Motion seeking payment of the Blaneys Outstanding Account and for no other or improper purpose.

**REMOTELY AFFIRMED BEFORE ME** )  
 By Ariyana Botejue, in the same City of Toronto, in )  
 The Province of Ontario, this 15<sup>th</sup> day of March, )  
 2021, in accordance with O. Reg. 431/20 )  
 Administering Oath or Declaration Remotely. )  
*Alex Fernet Brochu* )

---

A Commissioner for Taking Affidavits  
**ALEX FERNET BROCHU**




---

**ARIYANA BOTEJUE**

This is Exhibit "A" referred to in the Affidavit of Service of  
Ariyana Botejue sworn the 15<sup>th</sup> of March, 2021.

*Alex Fernet Brochu*

---

*Commissioner for Taking Affidavits (or as may be)*

**Alex Fernet Brochu**

Blaney McMurtry LLP  
 Barristers and Solicitors  
 2 Queen Street East  
 Suite 1500  
 Toronto, Ontario M5C 3G5  
 Telephone: (416) 593-1221

---

Monday, March 15, 2021

PRIVATE AND CONFIDENTIAL

Yuan Hua (Mike) Wang  
 Forme Development Group  
 7100 Woodbine Avenue Suite 206  
 Markham, ON, L3R 5J2

**STATEMENT OF ACCOUNT**

Our records indicate that the following amounts remain outstanding  
 Client Name: Yuan Hua (Mike) Wang  
 File No: 200966

<b>Invoice</b>	<b>Date</b>	<b>Balance</b>
686842	5/22/2020	\$21,121.54
<b>SUBTOTAL:</b>		<b>\$21,121.54</b>
<b>INTEREST:</b>		<b><u>\$309.01</u></b>
<b>TOTAL DUE:</b>		<b><u>\$21,430.55</u></b>

Your prompt attention and early remittance of the total balance would be greatly appreciated.  
 Should payment have been sent, please disregard this notice and accept our thanks.

Make payment(s) payable to Blaney McMurtry LLP.  
 We accept Visa, Mastercard and AMEX.  
 For Wire Transfers: TD Canada Trust Bank No. 004, Transit No. 10252, General Account No.  
 0680-5215022.  
 Swift Code: TDOMCATTOR

Enclosed is a pre-addressed envelope if you wish to mail your payment.

This is Exhibit "B" referred to in the Affidavit of Service of  
Ariyana Botejue sworn the 15<sup>th</sup> of March, 2021.

*Alex Fernet Brochu*

---

*Commissioner for Taking Affidavits (or as may be)*

**Alex Fernet Brochu**



February 23, 2021

David T. Ullmann  
D: 416-596-4289 F: 416-594-2437  
dullmann@blaney.com

**SENT BY EMAIL**

Mr. Justice Glen Hailey  
c/o Ms. Alsou Anissimova  
Commercial and Estates Office Trial Coordinator  
Superior Court of Justice  
330 University Avenue  
7<sup>th</sup> Floor  
Toronto, ON, M5G 1R7

Your Honour:

**Re: In the Matter of Forme Development Group Inc. et al. (Court File No. CV-18-608313-00CL) / Motion Returnable February 25, 2021**

We are counsel to Mike Wang (“**Mr. Wang**”). We are writing to advise that we intend to attend at the hearing before You now scheduled to be heard in this matter on **February 25<sup>th</sup>, 2021**, and to make submissions seeking payment of our outstanding account. We will not be filing any further materials but will be relying on the materials already before the court on the motion, and such materials as were before the Court at the August 27, 2020 hearing and the attached order.

It has been brought to our attention that a motion was held in these proceedings on August 27, 2020 in which two former counsel of Mr. Wang were paid their reasonable fees out of so called surplus funds that are available in this process and are held by the Monitor. As you will recall, we were Mr. Wang’s counsel in connection with his Notice of Intention to file a Proposal (the “**Proposal**”). Those proceedings were ended by your Endorsement dated April 15, 2020, which created a deemed bankruptcy. I attach that decision for your reference.

We were not served with the materials related to the motion which was heard before you on August 27, 2020. Had we been served with those materials, we would have attended and sought similar relief to that which was provided to other former counsel of Mr. Wang. Your Honour issued the attached order on that date approving those fees.

We have outstanding amounts owing to us for our work done during the NOI process in the amount of \$21,000. We are prepared to prove that amount is owing to the Monitor (or the Court) if required.

Although the Court ultimately determined that Mr. Wang’s Proposal should not proceed, we were obliged to prepare for and argue the motion before you on March 31, 2020, and also prepare for a first meeting of creditors which was to be held on April 16, 2020, at which point the Proposal would have been voted on and other actions might have taken place. In particular, we were required to work during the elipse between when Your Honour heard the motion and when Your Honour was able to render a decision. You may recall that your decision was released on April 15, 2020, less than a day before the creditors meeting was to be held.

Given that we provided counsel to this matter, albeit in a losing cause, in the same manner as Lerner and Mr. Grout, we respectfully submit that our outstanding account should also be paid. We have written to the Monitor in this regard and they have advised that they disagree.

Yours very truly,  
**Blaney McMurtry LLP**

A handwritten signature in black ink, appearing to read 'DTU', is written over the printed name of David T. Ullmann.

David T. Ullmann  
DTU/ab

Encls.

c.c.: Sean Zweig – Counsel to the Monitor

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

IN THE MATTER OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C.  
1985, c. B-3, AS AMENDED

AND IN THE MATTER OF THE PROPOSAL OF **YUAN HUA (MIKE) WANG**

APPLICATION UNDER THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C.  
1985, c. B-3, AS AMENDED

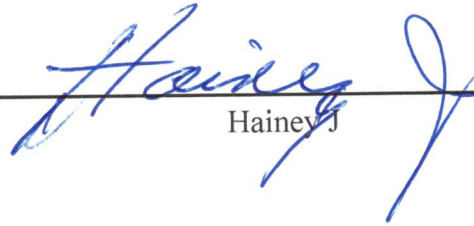
**ENDORSEMENT**  
**(APRIL 15, 2020)**

1. This Motion was heard on March 31, 2020 by teleconference in accordance with the change in operations of the Commercial List in light of the COVID-19 crisis and the Chief Justice's Notice to the Profession dated March 15, 2020.
2. At the conclusion of the argument on this Motion, I indicated that I would provide the parties with my decision in due course. This is my decision.
3. Ferina Construction Limited ("Ferina") brought a Motion to terminate the period during which Yuan Hua (Mike) Wang ("Wang") may make a proposal ("NOI Period") pursuant to section 50.4 of the BIA. Wang brought a motion returnable on the same date to extend the NOI Period to make a Proposal. Wang has since filed a Proposal and accordingly his motion for an extension of time has been withdrawn. As part of my endorsement dated February 25, 2020 in setting these two motions down for a hearing, I ordered that if a Proposal was filed by Wang prior to the date that Ferina's motion was heard, Ferina's motion could proceed under section 50(12) of the BIA as a motion to terminate the NOI proceeding, which is what has occurred.
4. Ferina submits that Wang's proposal proceeding is an attempt to avoid the effect of orders made in the CCAA proceedings involving Forme Development Group Inc and certain affiliates ("Applicants").

5. The Applicants were granted CCAA protection in November 2018. Certain other affiliated companies were not granted protection (“Non-Applicants”). Wang is the sole shareholder, director and directing mind of the Applicants and the Non-Applicants.
6. From the outset of the debtor-driven CCAA proceedings stakeholders have expressed concerns about Wang’s conduct. As a result, KSV Kofman Inc. (“KSV”) was appointed as “super” Monitor with expanded powers.
7. In March 2019 Wang attempted to surreptitiously sell certain Non-Applicant properties and put approximately \$12 million out of reach of Wang’s creditors. As a result the Monitor brought a Motion for an order that all net proceeds from the sale be held in trust by the Monitor. In settling the Motion, Wang and the Non-Applicants gave an undertaking to the court that all sale proceeds would be held in trust. The undertaking also contemplated a claims process to determine claims against the Non-Applicants and Wang. In October 2019 a claims process was instituted by court order, that was acquiesced in by Wang’s legal counsel.
8. Ferina filed a claim against Wang, in his capacity as a guarantor, for \$2,284,336.94 in the claims process. The claims bar date was January 27, 2020. On that date Wang advised the Monitor that all claims filed against him in the claims process should be disallowed.
9. I agree with Ferina’s submissions that this proposal proceeding that Wang has recently commenced and the CCAA proceedings that he commenced 18 months ago are inextricably linked for the following reasons:
  - a. Wang is the sole shareholder of the Applicants and the Non-Applicants. Any equity remaining from the sale of the properties is an asset of Wang’s;
  - b. Wang has provided personal guarantees to various creditors in the CCAA proceedings, including Ferina;
  - c. Wang is subject to the undertaking to the Court in his personal capacity which forms part of a court order for the benefit of his creditors;
  - d. Wang is subject to a Claims Procedure Order in the CCAA proceedings which includes claims against him personally. Wang participated in negotiating this Order and agreed to it; and

- e. I have already made findings of lack of good faith in my Endorsement in the CCAA proceedings dated February 20, 2020, which, in my view, apply equally to Wang's recent commencement of this proposal proceeding under the BIA.
10. The main issue on this Motion is whether the proposal proceeding should continue. Under s.50(12) of the BIA the court may, on application by a creditor at any time before the meeting of creditors, declare that the proposal is deemed to have been refused by the creditors if the court is satisfied that:
  - (a) the debtor has not acted, or is not acting, in good faith and with due diligence;
  - (b) the proposal will not likely be accepted by the creditors; or
  - (c) the creditors as a whole would be materially prejudiced if the application under this subsection is rejected.
11. I have concluded that the proposal proceeding should not continue and should be terminated for the following reasons.
12. Wang has not acted in good faith because he has,
  - a. Authorized entirely duplicative assignments in bankruptcy of the four Non-Applicants that I found served no valid purpose;
  - b. Filed a Proposal that has no hope of being accepted by his creditors;
  - c. Permitted the Non-Applicants' legal counsel to bring an *ex parte* motion before me without making full and frank disclosure;
  - d. Kept his NOI filing secret despite exchanging e-mails with the Monitor the business day after swearing his Statement of Affairs; and
  - e. Refused to answer proper questions regarding his sources of financing.
13. Wang's pre-filing conduct is also a factor to consider when assessing his good faith under s.50(12) of the BIA. He has displayed a lack of transparency and good faith with respect to the CCAA proceedings because he has,
  - a. Secretly attempted to put \$12 million beyond the reach of his creditors;
  - b. Refused to be examined on his financial circumstances;
  - c. Refused to advise how the Non-Applicants are paying Gardiner Roberts LLP's fees.
14. My conclusion that Wang has not acted and is not acting with good faith is sufficient to justify the orders sought by Ferina on this Motion.

15. However, I have also concluded that it is not likely that Wang's proposal would be accepted for the reasons set out at paras 32-36 of Ferina's Factum which I adopt.
16. Further, I have also concluded that the creditors as a whole would be materially prejudiced if the proposal proceeding is not terminated for the same reasons that I gave in my Endorsement dated February 20, 2020. There is already a process in place in the CCAA proceedings to determine claims against Wang which should not be undermined by Wang's proposal.
17. For these reasons, Ferina's motion is granted on the terms of the attached Orders declaring that Wang's proposal is deemed to be refused by creditors and substituting KSV as Wang's Trustee in Bankruptcy.
18. These orders are effective today whether or not they are entered.

  
Hainey J

Court File No.: CV-18-608313-00CL

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

THE HONOURABLE  
JUSTICE GLENN HAINEY

) THURSDAY, THE 27<sup>TH</sup> DAY  
) OF AUGUST 2020  
)

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")

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

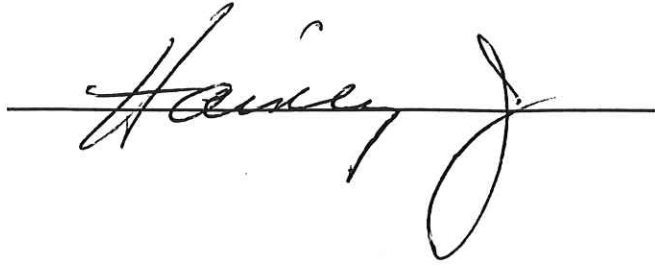
**ORDER  
(RE FEE APPROVAL)**

THIS MOTION, made by James H. Grout Professional Corporation ("**Grout P.C.**") and Lerner's LLP ("**Lerner's**"), for an order to pay their outstanding fees and disbursements incurred by them as former counsel for Yuan Hua Wang ("**Mr. Wang**"), was heard this day by judicial videoconference via Zoom in Toronto, Ontario.

ON READING the Motion Record of Grout P.C. and Lerner's dated March 16, 2020, and on hearing the submissions of the moving parties and counsel for the Monitor:

1. THIS COURT ORDERS THAT Bennett Jones LLP, counsel to the Monitor, is hereby authorized and directed to pay from surplus funds it holds in trust pursuant to the Ancillary Order dated February 20, 2020, the outstanding fees and disbursements of Grout P.C. and Lerner's as follows:
  - a. Grout P.C. - \$25,312.00; and
  - b. Lerner's - \$31,987.86.

2. THIS COURT ORDERS THAT there shall be no costs payable on this motion.

A handwritten signature in cursive script, appearing to read "Hawley J", is written over a solid horizontal line. The signature is positioned in the upper right quadrant of the page.



**ONTARIO  
SUPERIOR COURT OF JUSTICE -  
COMMERCIAL LIST**

Proceeding commenced at Toronto

**ORDER  
(FEE APPROVAL)**

**James Grout Professional Corp.**  
24 McMaster Avenue  
Toronto, ON M4V 1A9  
**James H. Grout** LS#: 22741H 1B  
Jimhgrout@gmail.com  
Tel: 416.505.6765

**LERNERS LLP**  
130 Adelaide Street West, Suite 2400  
Toronto, ON M5H 3P5  
**Cynthia B. Kuehl** LS#: 43509V  
ckuehl@lerners.ca  
Tel: 416.601.2363 / Fax:  
416.867.2433

Former Lawyers for Yuan Hua Wang

This is Exhibit "C" referred to in the Affidavit of Service of  
Ariyana Botejue sworn the 15<sup>th</sup> of March, 2021.

*Alex Fernet Brochu*

---

*Commissioner for Taking Affidavits (or as may be)*

**Alex Fernet Brochu**

## Ariyana Botejue

---

**From:** David T. Ullmann  
**Sent:** Tuesday, February 23, 2021 9:11 PM  
**To:** 'Aiden Nelms'  
**Cc:** 'forte@gsnh.com'; 'stam@gsnh.com'; 'parent@gsnh.com'; 'bkofman@ksvadvisory.com'; 'dsieradzki@ksvadvisory.com'; 'zweigs@bennettjones.com'; 'diane.winters@justice.gc.ca'; 'kevin.ohara@ontario.ca'; 'jeffreywlem@gmail.com'; 'jeff.larry@paliareroland.com'; 'max.starnino@paliareroland.com'; 'irving@ontlaw.com'; 'harvey@harvey-mandel.com'; 'info@ocwlaw.com'; 'george@chaitons.com'; 'David.Cohen@gowlingwlg.com'; 'clifton.prophet@gowlingwlg.com'; 'dmichaud@robapp.com'; 'jpreece@robapp.com'; 'ybaykara@kmblaw.com'; 'jmaclellan@blg.com'; 'VCalvano@blg.com'; 'tony@potestiolaw.com'; 'scott@rflaw.ca'; 'andrew@ungerlaw.ca'; 'eli@ungerlaw.ca'; 'ywang@hwlawyers.ca'; 'DJMiller@tgf.ca'; 'sweisz@btzlaw.ca'; 'nelmsa@bennettjones.com'; 'cfell@btzlaw.ca'; 'jcarhart@millertthomson.com'; 'jfried@mwb.ca'; 'waseem@abrahamsllp.com'; 'pingt.tan@gmail.com'; 'cxu@moneybroker.ca'; 'noah@vectorfinancialservices.com'; 'mitchell@vectorfinancialservices.com'; 'gruggiero@SRlawpractice.com'; 'yizhoulawoffice@yahoo.ca'; 'mark.hemingway@hometruster.ca'; 'bpolisuk@garfinkle.com'; 'rkwan@garfinkle.com'; 'papaikonomou@sympatico.ca'; 'KYason@CommunityTrust.ca'; 'dmorrison@morrisonfinancial.com'; 'aemer@morrisonfinancial.com'; 'davidbyon2007@gmail.com'; 'Devon@cransoncapital.com'; 'robertx@dxfinance.ca'; 'aslavens@torys.com'; 'novamckay@msn.com'; 'deltanica1968@gmail.com'; 'jcmhope@gmail.com'; 'beverleyb\_99@yahoo.com'; 'aiyg88@hotmail.com'; 'z\_henry@hotmail.com'; 'Hu\_0201@Hotmail.com'; 'meiminh@hotmail.com'; 'celine7325@gmail.com'; 'minglan@hotmail.com'; 'lihary@yahoo.com'; 'jameszhan71@gmail.com'; 'gumin4218@gmail.com'; 'xu\_huijuan@yahoo.ca'; 'lvyChen168@gmail.com'; 'trust.secure@gmail.com'; 'whhk111@gmail.com'; 'ray88xu@gmail.com'; 'haibinhu6@hotmail.com'; 'whsu2002@yahoo.ca'; 'hchtrieu@gmail.com'; 'rommiewen@hotmail.com'; 'jameszhan71@gmail.com'; 'janice\_zhang@hotmail.com'; 'angelcj2012@gmail.com'; 'yuanceci@yahoo.ca'; 'catherinewang789@gmail.com'; 'karenkingconsulting@gmail.com'; 'dominic.amann@gmail.com'; 'karenmclair4@gmail.com'; 'mrjking@gmail.com'; 'krish.nair.nh@gmail.com'; 'maushirn@gmail.com'; 'shar.champ@hotmail.com'; 'timeless1515@gmail.com'; 'darte@yaho.com'; 'huiw775@hotmail.com'; 'hanjie7963@gmail.com'; 'wanjingyan@hotmail.com'; 'yangruibox@yahoo.com'; 'jinshan\_zhang@hotmail.com'; 'janegao3@gmail.com'; 'andyguca@gmail.com'; 'richard.zhou28@gmail.com'; 'angelcj2012@gmail.com'; 'casslitman@litmanlaw.ca'; 'maria.mouratidis@century21.ca'; 'victor.bandiera@trisura.com'; 'stuart.detsky@trisura.com'; 'tomasz.stapf@gmail.com'; 'jharnum@kmlaw.ca'; 'avisheau@kmlaw.ca'; 'rrspmortgagelegal@olympiatrust.com'; 'johnsons@olympiatrust.com'; 'luongj@olympiatrust.com'; 'cho@laihshleyreed.com'; 'jasonhuang@lawyer.com'; 'moonriver518@hotmail.com'; 'mike@formeddevelopmentgroup.com'; 'bsachdeva@millertthomson.com'; 'sdecaria@millertthomson.com'; 'Dan.Wootton@ca.gt.com'; 'cbesant@grllp.com'; 'jbartlett@msmlaw.net'; 'thomas.gertner@gowlingwlg.com'; 'kamwaipang@gmail.com'; 'asoutter@tgf.ca'; 'Pat.Confalone@justice.gc.ca'

**Subject:** RE: In the Matter of Forme Development Group Inc., et al. (Court File No. CV-18-608313-00CL) and In the Matter of the Proposal of 58 Old Kennedy Development Inc., et al (Estate No. 31-2436538)

**Attachments:** 2021-02-23 - LT Justice Hainey Encls..pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To the Service List

Please see our letter to the Court of today's date with respect to the motion returnable on February 25, 2021.

Regards,

David Ullmann

David T. Ullmann  
 Partner

[dullmann@blaney.com](mailto:dullmann@blaney.com)  
 ☎416-596-4289 | ☎416-594-2437

---

**From:** Aiden Nelms [mailto:NelmsA@bennettjones.com]

**Sent:** Thursday, February 18, 2021 4:04 PM

**To:** David T. Ullmann

**Subject:** FW: In the Matter of Forme Development Group Inc., et al. (Court File No. CV-18-608313-00CL) and In the Matter of the Proposal of 58 Old Kennedy Development Inc., et al (Estate No. 31-2436538)

Good afternoon,

As a courtesy, please see below.

Best,



**Aiden Nelms**  
*Associate, Bennett Jones LLP*

3400 One First Canadian Place, P.O. Box 130, Toronto, ON, M5X 1A4  
 T. 416 777 4642 | F. 416 863 1716  
 E. [nelmsa@bennettjones.com](mailto:nelmsa@bennettjones.com)  
[BennettJones.com](http://BennettJones.com)

---

**From:** Aiden Nelms

**Sent:** Thursday, February 18, 2021 3:49 PM

**To:** 'forte@gsnh.com' <[forte@gsnh.com](mailto:forte@gsnh.com)>; 'stam@gsnh.com' <[stam@gsnh.com](mailto:stam@gsnh.com)>; 'parent@gsnh.com' <[parent@gsnh.com](mailto:parent@gsnh.com)>; 'bkofman@ksvadvisory.com' <[bkofman@ksvadvisory.com](mailto:bkofman@ksvadvisory.com)>; 'dsieradzki@ksvadvisory.com' <[dsieradzki@ksvadvisory.com](mailto:dsieradzki@ksvadvisory.com)>; Sean Zweig <[ZweigS@bennettjones.com](mailto:ZweigS@bennettjones.com)>; 'diane.winters@justice.gc.ca' <[diane.winters@justice.gc.ca](mailto:diane.winters@justice.gc.ca)>; 'Rakhee.bhandari@justice.gc.ca' <[Rakhee.bhandari@justice.gc.ca](mailto:Rakhee.bhandari@justice.gc.ca)>; 'kevin.ohara@ontario.ca' <[kevin.ohara@ontario.ca](mailto:kevin.ohara@ontario.ca)>; 'jeffreywlem@gmail.com' <[jeffreywlem@gmail.com](mailto:jeffreywlem@gmail.com)>; 'jeff.larry@paliareroland.com' <[jeff.larry@paliareroland.com](mailto:jeff.larry@paliareroland.com)>; 'max.starnino@paliareroland.com' <[max.starnino@paliareroland.com](mailto:max.starnino@paliareroland.com)>; 'irving@ontlaw.com' <[irving@ontlaw.com](mailto:irving@ontlaw.com)>; 'harvey@harveymandel.com' <[harvey@harveymandel.com](mailto:harvey@harveymandel.com)>; 'info@ocwlaw.com' <[info@ocwlaw.com](mailto:info@ocwlaw.com)>; 'george@chaitons.com' <[george@chaitons.com](mailto:george@chaitons.com)>; 'David.Cohen@gowlingwlg.com' <[David.Cohen@gowlingwlg.com](mailto:David.Cohen@gowlingwlg.com)>; 'clifton.prophet@gowlingwlg.com' <[clifton.prophet@gowlingwlg.com](mailto:clifton.prophet@gowlingwlg.com)>; 'dmichaud@robapp.com' <[dmichaud@robapp.com](mailto:dmichaud@robapp.com)>; 'jpreece@robapp.com' <[jpreece@robapp.com](mailto:jpreece@robapp.com)>; 'ybaykara@kmblaw.com' <[ybaykara@kmblaw.com](mailto:ybaykara@kmblaw.com)>; 'jmaclellan@blg.com' <[jmaclellan@blg.com](mailto:jmaclellan@blg.com)>; 'VCalvano@blg.com' <[VCalvano@blg.com](mailto:VCalvano@blg.com)>; 'tony@potestiolaw.com' <[tony@potestiolaw.com](mailto:tony@potestiolaw.com)>; 'scott@rflaw.ca' <[scott@rflaw.ca](mailto:scott@rflaw.ca)>; 'andrew@ungerlaw.ca' <[andrew@ungerlaw.ca](mailto:andrew@ungerlaw.ca)>; 'eli@ungerlaw.ca' <[eli@ungerlaw.ca](mailto:eli@ungerlaw.ca)>; 'ywang@hwlawyers.ca' <[ywang@hwlawyers.ca](mailto:ywang@hwlawyers.ca)>;

'DJMiller@tgf.ca' <[DJMiller@tgf.ca](mailto:DJMiller@tgf.ca)>; 'sweisz@btzlaw.ca' <[sweisz@btzlaw.ca](mailto:sweisz@btzlaw.ca)>; 'cfell@btzlaw.ca' <[cfell@btzlaw.ca](mailto:cfell@btzlaw.ca)>; 'jcarhart@millerthomson.com' <[jcarhart@millerthomson.com](mailto:jcarhart@millerthomson.com)>; 'jfried@mwb.ca' <[jfried@mwb.ca](mailto:jfried@mwb.ca)>; 'waseem@abrahamsllp.com' <[waseem@abrahamsllp.com](mailto:waseem@abrahamsllp.com)>; 'pingt.tan@gmail.com' <[pingt.tan@gmail.com](mailto:pingt.tan@gmail.com)>; 'cxu@moneybroker.ca' <[cxu@moneybroker.ca](mailto:cxu@moneybroker.ca)>; 'noah@vectorfinancialservices.com' <[noah@vectorfinancialservices.com](mailto:noah@vectorfinancialservices.com)>; 'mitchell@vectorfinancialservices.com' <[mitchell@vectorfinancialservices.com](mailto:mitchell@vectorfinancialservices.com)>; 'gruggiero@SRlawpractice.com' <[gruggiero@SRlawpractice.com](mailto:gruggiero@SRlawpractice.com)>; 'yizhoulawoffice@yahoo.ca' <[yizhoulawoffice@yahoo.ca](mailto:yizhoulawoffice@yahoo.ca)>; 'mark.hemingway@hometruster.ca' <[mark.hemingway@hometruster.ca](mailto:mark.hemingway@hometruster.ca)>; 'bpolisuk@garfinkle.com' <[bpolisuk@garfinkle.com](mailto:bpolisuk@garfinkle.com)>; 'rkwan@garfinkle.com' <[rkwan@garfinkle.com](mailto:rkwan@garfinkle.com)>; 'papaikonomou@sympatico.ca' <[papaikonomou@sympatico.ca](mailto:papaikonomou@sympatico.ca)>; 'KYason@CommunityTrust.ca' <[KYason@CommunityTrust.ca](mailto:KYason@CommunityTrust.ca)>; 'dmorrison@morrisonfinancial.com' <[dmorrison@morrisonfinancial.com](mailto:dmorrison@morrisonfinancial.com)>; 'aemer@morrisonfinancial.com' <[aemer@morrisonfinancial.com](mailto:aemer@morrisonfinancial.com)>; 'davidbyon2007@gmail.com' <[davidbyon2007@gmail.com](mailto:davidbyon2007@gmail.com)>; 'Devon@cransoncapital.com' <[Devon@cransoncapital.com](mailto:Devon@cransoncapital.com)>; 'robertx@dxfinance.ca' <[robertx@dxfinance.ca](mailto:robertx@dxfinance.ca)>; 'aslavens@torys.com' <[aslavens@torys.com](mailto:aslavens@torys.com)>; 'novamckay@msn.com' <[novamckay@msn.com](mailto:novamckay@msn.com)>; 'deltanica1968@gmail.com' <[deltanica1968@gmail.com](mailto:deltanica1968@gmail.com)>; 'jcmhope@gmail.com' <[jcmhope@gmail.com](mailto:jcmhope@gmail.com)>; 'beverleyb\_99@yahoo.com' <[beverleyb\\_99@yahoo.com](mailto:beverleyb_99@yahoo.com)>; 'aiyg88@hotmail.com' <[aiyg88@hotmail.com](mailto:aiyg88@hotmail.com)>; 'z\_henry@hotmail.com' <[z\\_henry@hotmail.com](mailto:z_henry@hotmail.com)>; 'Hu\_0201@Hotmail.com' <[Hu\\_0201@Hotmail.com](mailto:Hu_0201@Hotmail.com)>; 'meiminh@hotmail.com' <[meiminh@hotmail.com](mailto:meiminh@hotmail.com)>; 'celine7325@gmail.com' <[celine7325@gmail.com](mailto:celine7325@gmail.com)>; 'minglan@hotmail.com' <[minglan@hotmail.com](mailto:minglan@hotmail.com)>; 'lihary@yahoo.com' <[lihary@yahoo.com](mailto:lihary@yahoo.com)>; 'jameszhan71@gmail.com' <[jameszhan71@gmail.com](mailto:jameszhan71@gmail.com)>; 'gumin4218@gmail.com' <[gumin4218@gmail.com](mailto:gumin4218@gmail.com)>; 'xu\_huijuan@yahoo.ca' <[xu\\_huijuan@yahoo.ca](mailto:xu_huijuan@yahoo.ca)>; 'IvyChen168@gmail.com' <[IvyChen168@gmail.com](mailto:IvyChen168@gmail.com)>; 'trust.secure@gmail.com' <[trust.secure@gmail.com](mailto:trust.secure@gmail.com)>; 'whhk111@gmail.com' <[whhk111@gmail.com](mailto:whhk111@gmail.com)>; 'ray88xu@gmail.com' <[ray88xu@gmail.com](mailto:ray88xu@gmail.com)>; 'haibinhu6@hotmail.com' <[haibinhu6@hotmail.com](mailto:haibinhu6@hotmail.com)>; 'whsu2002@yahoo.ca' <[whsu2002@yahoo.ca](mailto:whsu2002@yahoo.ca)>; 'hchtrieu@gmail.com' <[hchtrieu@gmail.com](mailto:hchtrieu@gmail.com)>; 'rommiewen@hotmail.com' <[rommiewen@hotmail.com](mailto:rommiewen@hotmail.com)>; 'jameszhan71@gmail.com' <[jameszhan71@gmail.com](mailto:jameszhan71@gmail.com)>; 'janice\_zhang@hotmail.com' <[janice\\_zhang@hotmail.com](mailto:janice_zhang@hotmail.com)>; 'angelcj2012@gmail.com' <[angelcj2012@gmail.com](mailto:angelcj2012@gmail.com)>; 'yuanceci@yahoo.ca' <[yuanceci@yahoo.ca](mailto:yuanceci@yahoo.ca)>; 'catherinewang789@gmail.com' <[catherinewang789@gmail.com](mailto:catherinewang789@gmail.com)>; 'karenkingconsulting@gmail.com' <[karenkingconsulting@gmail.com](mailto:karenkingconsulting@gmail.com)>; 'dominic.amann@gmail.com' <[dominic.amann@gmail.com](mailto:dominic.amann@gmail.com)>; 'karenmcnair4@gmail.com' <[karenmcnair4@gmail.com](mailto:karenmcnair4@gmail.com)>; 'mrjking@gmail.com' <[mrjking@gmail.com](mailto:mrjking@gmail.com)>; 'krish.nair.nh@gmail.com' <[krish.nair.nh@gmail.com](mailto:krish.nair.nh@gmail.com)>; 'maushirn@gmail.com' <[maushirn@gmail.com](mailto:maushirn@gmail.com)>; 'shar.champ@hotmail.com' <[shar.champ@hotmail.com](mailto:shar.champ@hotmail.com)>; 'timeless1515@gmail.com' <[timeless1515@gmail.com](mailto:timeless1515@gmail.com)>; 'darteh@yahoo.com' <[darteh@yahoo.com](mailto:darteh@yahoo.com)>; 'huiw775@hotmail.com' <[huiw775@hotmail.com](mailto:huiw775@hotmail.com)>; 'hanjie7963@gmail.com' <[hanjie7963@gmail.com](mailto:hanjie7963@gmail.com)>; 'wanjingyan@hotmail.com' <[wanjingyan@hotmail.com](mailto:wanjingyan@hotmail.com)>; 'yangruibox@yahoo.com' <[yangruibox@yahoo.com](mailto:yangruibox@yahoo.com)>; 'jinshan\_zhang@hotmail.com' <[jinshan\\_zhang@hotmail.com](mailto:jinshan_zhang@hotmail.com)>; 'janegao3@gmail.com' <[janegao3@gmail.com](mailto:janegao3@gmail.com)>; 'andyguca@gmail.com' <[andyguca@gmail.com](mailto:andyguca@gmail.com)>; 'richard.zhou28@gmail.com' <[richard.zhou28@gmail.com](mailto:richard.zhou28@gmail.com)>; 'angelcj2012@gmail.com' <[angelcj2012@gmail.com](mailto:angelcj2012@gmail.com)>; 'casslitman@litmanlaw.ca' <[casslitman@litmanlaw.ca](mailto:casslitman@litmanlaw.ca)>; 'maria.mouratidis@century21.ca' <[maria.mouratidis@century21.ca](mailto:maria.mouratidis@century21.ca)>; 'victor.bandiera@trisura.com' <[victor.bandiera@trisura.com](mailto:victor.bandiera@trisura.com)>; 'stuart.detsky@trisura.com' <[stuart.detsky@trisura.com](mailto:stuart.detsky@trisura.com)>; 'tomasz.stapf@gmail.com' <[tomasz.stapf@gmail.com](mailto:tomasz.stapf@gmail.com)>; 'jharnum@kmlaw.ca' <[jharnum@kmlaw.ca](mailto:jharnum@kmlaw.ca)>; 'avisheau@kmlaw.ca' <[avisheau@kmlaw.ca](mailto:avisheau@kmlaw.ca)>; 'rrspmortgagelegal@olympiatrust.com' <[rrspmortgagelegal@olympiatrust.com](mailto:rrspmortgagelegal@olympiatrust.com)>; 'johnsons@olympiatrust.com' <[johnsons@olympiatrust.com](mailto:johnsons@olympiatrust.com)>; 'luongj@olympiatrust.com' <[luongj@olympiatrust.com](mailto:luongj@olympiatrust.com)>; 'cho@lailshleyreed.com' <[cho@lailshleyreed.com](mailto:cho@lailshleyreed.com)>; 'jasonhuang@lawyer.com' <[jasonhuang@lawyer.com](mailto:jasonhuang@lawyer.com)>; 'moonriver518@hotmail.com' <[moonriver518@hotmail.com](mailto:moonriver518@hotmail.com)>; 'mike@formeddevelopmentgroup.com' <[mike@formeddevelopmentgroup.com](mailto:mike@formeddevelopmentgroup.com)>; 'Dan.Wootton@ca.gt.com' <[Dan.Wootton@ca.gt.com](mailto:Dan.Wootton@ca.gt.com)>; 'cbesant@grllp.com' <[cbesant@grllp.com](mailto:cbesant@grllp.com)>; 'jbartlett@msmlaw.net' <[jbartlett@msmlaw.net](mailto:jbartlett@msmlaw.net)>; 'thomas.gertner@gowlingwlg.com' <[thomas.gertner@gowlingwlg.com](mailto:thomas.gertner@gowlingwlg.com)>; 'kamwaipang@gmail.com' <[kamwaipang@gmail.com](mailto:kamwaipang@gmail.com)>; 'legal@questrade.com' <[legal@questrade.com](mailto:legal@questrade.com)>; 'Alexander Soutter' <[ASoutter@tgf.ca](mailto:ASoutter@tgf.ca)>; 'harvey@harvey-mandel.com' <[harvey@harvey-mandel.com](mailto:harvey@harvey-mandel.com)>; 'joseph.gentile@millsandmills.ca' <[joseph.gentile@millsandmills.ca](mailto:joseph.gentile@millsandmills.ca)>; Sanj Mitra <[smitra@airdberlis.com](mailto:smitra@airdberlis.com)>; Sam Babe <[sbabe@airdberlis.com](mailto:sbabe@airdberlis.com)>; Robert Charles <[rcharles@charlesdebtmanagement.ca](mailto:rcharles@charlesdebtmanagement.ca)>; Alex Flesias <[aflesias@hammondfflesias.com](mailto:aflesias@hammondfflesias.com)>; 'larry@goldmanspring.com' <[larry@goldmanspring.com](mailto:larry@goldmanspring.com)>  
**Cc:** Nives Malfara <[MalfaraN@bennettjones.com](mailto:MalfaraN@bennettjones.com)>; Joshua Foster <[FosterJ@bennettjones.com](mailto:FosterJ@bennettjones.com)>; Jonathan Joffe <[jjoffe@ksvadvisory.com](mailto:jjoffe@ksvadvisory.com)>

**Subject:** In the Matter of Forme Development Group Inc., et al. (Court File No. CV-18-608313-00CL) and In the Matter of the Proposal of 58 Old Kennedy Development Inc., et al (Estate No. 31-2436538)

To The Service List,

Please find available for download at the link below, and served upon you pursuant to the *Rules of Civil Procedure*, the Motion Record of the Monitor and Proposal Trustee returnable **February 25 at 11:30 AM (ET)** (the "Motion Record"). This motion will be proceeding via videoconference, the particulars of which can be found below and at Schedule "B" of the Motion Record:

- <https://us02web.zoom.us/j/81340494580>

Pursuant to the Suggested Protocol for Telephonic and Video Conference Motions on the Commercial List during the COVID-19 period, all parties are asked to confirm by responding to this email if they will be participating at the above-referenced motion, and in doing so, provide your name, email address and identity of the party represented. In order to limit email traffic, those who respond are asked **not to 'reply all'** when doing so.

In accordance with the [Commercial List and Estates List Filing Direction](#) the Motion Record has also been uploaded to a storage space at sync.com. That folder can be accessed at the following URL:  
<https://ln2.sync.com/dl/655d79000/q9yhr22v-k4a5zz5e-6s9tevw8-iiivr9zu>.

<b>Access all attachments</b>	Access the folder
Motion Record (Volume 1 of 3) - Feb.18.21.pdf	Access the file
Motion Record (Volume 2 of 3) - Feb.18.21.pdf	Access the file
Motion Record (Volume 3 of 3) - Feb.18.21.pdf	Access the file

These links are active for 15 days after sending this email.

Regards,



**Aiden Nelms**  
*Associate, Bennett Jones LLP*

3400 One First Canadian Place, P.O. Box 130, Toronto, ON, M5X 1A4  
T. [416 777 4642](tel:4167774642) | F. [416 863 1716](tel:4168631716)  
E. [nelmsa@bennettjones.com](mailto:nelmsa@bennettjones.com)  
[BennettJones.com](http://BennettJones.com)

The contents of this message may contain confidential and/or privileged subject matter. If this message has been received in error, please contact the sender and delete all copies. Like other forms of communication, e-mail communications may be vulnerable to interception by unauthorized parties. If you do not wish us to communicate with you by e-mail, please notify us at your earliest convenience. In the absence of such notification, your consent is assumed. Should you choose to allow us to communicate by e-mail, we will not take any additional security measures (such as encryption) unless specifically requested.

If you no longer wish to receive commercial messages, you can unsubscribe by accessing this link:  
<http://www.bennettjones.com/unsubscribe>

**IN BANKRUPTCY AND INSOLVENCY****IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF YUAN HUA (MIKE) WANG, OF THE CITY OF MARKHAM, IN THE PROVINCE OF ONTARIO**

---

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
Proceeding commenced at **TORONTO**

---

**AFFIDAVIT OF ARIYANA BOTEJUE**  
**(Sworn March 15, 2021)**

---

**BLANEY McMURTRY LLP**  
Barristers and Solicitors  
1500 - 2 Queen Street East  
Toronto, ON M5C 3G5

**David Ullmann** (LSO #423571)  
Tel: (416) 596-4289  
Email: [dullmann@blaney.com](mailto:dullmann@blaney.com)

**Alex Fernet Brochu** (LSO #77644D)  
Tel: (416) 593-3937  
Email: [afernetbrochu@blaney.com](mailto:afernetbrochu@blaney.com)

Lawyers for Yuan Hua (Mike) Wang

**PARTIES SERVED:**

See Service List



**TAB 3**

**Court File No. CV-18-608313-00CL**

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

THE HONOURABLE MR. ) DAY, THE DAY  
)  
JUSTICE HAINEY ) OF MARCH, 2021

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")

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

**Estate File No. 31-2436568**

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

IN THE MATTER OF THE PROPOSAL OF  
58 OLD KENNEDY DEVELOPMENT INC.,  
76 OLD KENNEDY DEVELOPMENT INC. AND  
82 OLD KENNEDY DEVELOPMENT INC.,  
ALL CORPORATIONS INCORPORATED UNDER THE LAWS OF  
ONTARIO

**ORDER  
(Re: Fee Approval)**

**THIS MOTION** made by Blaney McMurtry LLP ("**Blaneys**") for an Order to pay their outstanding fees and disbursements incurred as counsel for Yuan Hua Wang, was heard this day by judicial videoconference via Zoom in Toronto, Ontario.

**ON READING** the Motion Record of Blaneys dated March 15, 2021, and on hearing the submissions of the moving parties and counsel for the Monitor and Proposal Trustee:

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that Bennett Jones LLP, counsel for the Monitor and Proposal Trustee, is hereby authorized and directed to pay from surplus funds it holds in trust pursuant to the Ancillary Order dated February 20, 2020 the outstanding fees and disbursements of Blaneys in the amount of \$21,430.55.

---

**IN BANKRUPTCY AND INSOLVENCY****IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF YUAN HUA (MIKE) WANG, OF THE CITY OF MARKHAM, IN THE PROVINCE OF ONTARIO**

---

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
Proceeding commenced at **TORONTO**

---

**ORDER**  
**(Re: Fee Approval)**

---

**BLANEY McMURTRY LLP**  
Barristers and Solicitors  
1500 - 2 Queen Street East  
Toronto, ON M5C 3G5

**David Ullmann** (LSO #423571)  
Tel: (416) 596-4289  
Email: [dullmann@blaney.com](mailto:dullmann@blaney.com)

**Alex Fernet Brochu** (LSO #77644D)  
Tel: (416) 593-3937  
Email: [afernetbrochu@blaney.com](mailto:afernetbrochu@blaney.com)

Lawyers for Yuan Hua (Mike) Wang

**PARTIES SERVED:**

See Service List

**IN BANKRUPTCY AND INSOLVENCY**

**IN THE MATTER OF THE NOTICE OF INTENTION TO MAKE A PROPOSAL OF YUAN HUA (MIKE) WANG, OF THE CITY OF MARKHAM, IN THE PROVINCE OF ONTARIO**

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
Proceeding commenced at **TORONTO**

**MOTION RECORD OF YUAN HUA (MIKE) WANG**  
**(Re: Fee Approval)**

**BLANEY McMURTRY LLP**  
Barristers and Solicitors  
1500 - 2 Queen Street East  
Toronto, ON M5C 3G5

**David Ullmann** (LSO #423571)  
Tel: (416) 596-4289  
Email: [dullmann@blaney.com](mailto:dullmann@blaney.com)

**Alex Fernet Brochu** (LSO #77644D)  
Tel: (416) 593-3937  
Email: [afernetbrochu@blaney.com](mailto:afernetbrochu@blaney.com)

Lawyers for Yuan Hua (Mike) Wang

**PARTIES SERVED:**

See Service List