

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

BETWEEN:

ONTARIO SECURITIES COMMISSION

Applicant

- and -

GO-TO DEVELOPMENTS HOLDINGS INC., OSCAR FURTADO, FURTADO HOLDINGS INC., GO-TO DEVELOPMENTS ACQUISITIONS INC., GO-TO GLENDALE AVENUE INC., GO-TO GLENDALE AVENUE LP, GO-TO MAJOR MACKENZIE SOUTH BLOCK INC., GO-TO MAJOR MACKENZIE SOUTH BLOCK LP, GO-TO MAJOR MACKENZIE SOUTH BLOCK II INC., GO-TO MAJOR MACKENZIE SOUTH BLOCK II LP, GO-TO NIAGARA FALLS CHIPPAWA INC., GO-TO NIAGARA FALLS CHIPPAWA LP, GO-TO NIAGARA FALLS EAGLE VALLEY INC., GO-TO NIAGARA FALLS EAGLE VALLEY LP, GO-TO SPADINA ADELAIDE SQUARE INC., GO-TO SPADINA ADELAIDE SQUARE LP, GO-TO STONEY CREEK ELFRIDA INC., GO-TO STONEY CREEK ELFRIDA LP, GO-TO ST. CATHARINES BEARD INC., GO-TO ST. CATHARINES BEARD LP, GO-TO VAUGHAN ISLINGTON AVENUE INC., GO-TO VAUGHAN ISLINGTON AVENUE LP, AURORA ROAD LIMITED PARTNERSHIP, and 2506039 ONTARIO LIMITED

Respondents

**RESPONDING MOTION RECORD
(Returnable February 9, 2022)**

February 8, 2022

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Respondents

I N D E X

Tab	Description
1.	Notice of Motion, returnable February 9, 2022
2.	Affidavit of Oscar Furtado, sworn February 8, 2022
Confidential Exhibits	
A	Glendale Offer
B	Appraisal Report dated January 17, 2020 re: Glendale Property
C	Investor Recommendations on Glendale Offer
D	Aurora Offer
E	Appraisal report dated January 1, 2018 re: Aurora Property
F	Investor Recommendations on Aurora Offer

TAB 1

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

B E T W E E N :

ONTARIO SECURITIES COMMISSION

Applicant

- and -

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Respondents

**NOTICE OF MOTION
(Returnable February 9, 2022)**

The Respondents will make a motion to a judge of the Ontario Superior Court of Justice (Commercial List) (the “Court”) on February 9, 2022 at 12:00pm, or as soon after that time as the motion can be heard.

PROPOSED METHOD OF HEARING: The Motion is to be heard:

- In writing under subrule 37.12.1(1) because it is;
- In writing as an opposed motion under subrule 37.12.1(4);
- In person;

- [] By telephone conference;
[X] By video conference.

At the following Zoom link: <https://airdberlis.zoom.us/j/86268104342>.

THE MOTION IS FOR:

- (a) An Order directing that the Receiver accept the Glendale Offer and the Aurora Offer (as defined below);
- (b) An Order sealing the Confidential Appendix (as defined below) (the “**Sealing Order**”); and
- (c) Such further and other relief that this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

1. Pursuant to the receivership order of the Honourable Mr. Justice Pattillo of the Ontario Superior Court of Justice (Commercial List) issued December 10, 2021 (the “**Receivership Order**”), KSV Restructuring Inc. was appointed as receiver and manager (in such capacity, the “**Receiver**”) of: (i) the real properties and entities (the “**Real Property**”) listed at Schedule “A” to Receivership Order and (ii) all the other assets, undertakings and properties of each of the parties listed on Schedule “B” to the Receivership Order (the “**Receivership Entities**”);
2. The Receiver is seeking, among other things, approval of the proposed sale process (the “**Sale Process**”), to commence on February 28, 2022, as described in the Second Report of the Receiver dated February 3, 2022 (the “**Second Report**”);

3. The principal assets of the Receivership Respondents are the Real Property, which are nine real properties throughout Ontario that are in early stages of development (the “**Projects**”);

4. There have been recent developments with respect to the Go-To Glendale Avenue LP Project (the “**Glendale Project**”) and the Go-To Aurora LP Project (the “**Aurora Project**”). In particular, the owners of the Projects (as detailed below) received offers from third parties for the purchase and sale of each of the following two properties:

i. 527 Glendale Avenue, St. Catherines, ON (the “**Glendale Property**”), and

ii. 4951 Aurora Road, Stouffville, ON (the “**Aurora Property**”);

5. The Glendale Property is owned by Go-To Glendale Avenue Inc. and Go-To Glendale Avenue Inc. (GP), which are Receivership Entities;

6. The Aurora Property is owned by 2506039 Ontario Limited (“**Go-To Aurora**”), which is a Receivership Entity;

7. Every single one of the investors in the Glendale Project supports the Glendale Offer (as defined below), and every single one of the investors in the Aurora Project supports the Aurora Offer (as defined below);

8. It is in the best interest of the investors for the Receiver to accept these offers, and proceed with a sale of the Glendale Property and the Aurora Property outside of the proposed Sale Process;

GLENDALE PROPERTY

9. On February 4, 2022, a prospective purchaser prepared an unconditional offer for the purchase of the Glendale Property (the “**Glendale Offer**”);

10. The total gross investment in the Glendale Project is \$3,100,000. Of this amount, \$785,437 has been paid to investors to date, making the total net investment in the Glendale Project \$2,314,563. The total estimated liabilities of the Glendale Property amount to \$3,839,884;

11. The purchase price in the Glendale Offer is significantly higher than the appraised value of the Glendale Property;

12. There are 13 investors in the Glendale Project. Every single investor in the Glendale Project has confirmed that they recommend that the Receiver accept the Glendale Offer;

13. The Glendale Offer provides for the repayment of all of the secured debt on the Glendale Property, and will likely result in the full repayment to investors in the Glendale Project;

14. A. Farber & Partners Inc. (“**Farber**”) has been retained by the investors in the Glendale Project to represent their interest in the Glendale Project. Farber has agreed to act as an advisor and liaison for investors with respect to the Glendale Offer;

15. The Glendale Offer is unconditional, above-market, and has unanimous investor support. The Glendale Offer represents the best likelihood for investors to obtain a full repayment of their investments in the Glendale Project;

16. Declining the Glendale Offer and proceeding with a sale of the Glendale Property in the Receiver’s proposed Sale Process will have the effect of eroding investors’ recoveries due to the

significantly high cost of administering the proposed Sale Process, and creates unnecessary risk for the investors in the Glendale Project;

AURORA PROPERTY

17. On February 6, 2022, a prospective purchaser prepared an offer for the purchase of the Aurora Property (the “**Aurora Offer**”);

18. Go-To Aurora intended on developing the Aurora Property in coordination with the owner(s) of the four adjacent parcels (the “**Other Parcels**”). Gerry Brouwer represents the owners of the Other Parcels;

19. On January 25, 2022, Hillmount Capital Mortgage Holdings Inc. and Hillmount Capital assigned their interest in a mortgage over the Aurora Property and the Other Parcels to Gerry Brouwer’s numbered company;

20. The Receiver has indicated its intention to market the Aurora Property and the Other Parcels jointly as one assembly in the proposed Sale Process and to engage in discussions with Gerry Brouwer regarding the particular terms of the process. To date, the Receiver and Gerry Brouwer have not entered into an agreement or agreed on such terms;

21. The total gross investment in the Aurora Project is \$1,500,000. Of this amount, \$200,371 has been paid to investors to date, making the net investment in the Aurora Property 1,299,630. The total estimated liabilities of the Aurora Property amount to \$3,140,000;

22. Go-To Aurora is party to a joint-venture agreement with a company controlled by Gerry Brouwer, 341868 Ontario Limited (“**JV Agreement**”) which was entered into for the purpose of

developing, constructing and operating the Aurora Property. Due to the unique nature of the Aurora Property and the terms of the JV Agreement, the best outcome for investors would involve a joint sale of the Aurora Property and the Other Parcels. This would maximize the value of the Aurora Property, and would require that Go-To Aurora and Gerry Brouwer agree on terms with respect to the allocation of the proceeds of any sale;

23. Gerry Brouwer has agreed that absent an agreement regarding the allocation of the proceeds of sale of the Aurora Property, the value of the Aurora Property would be significantly depressed;

24. The purchase price in the Aurora Offer is significantly higher than the appraised value of the Aurora Property;

25. There are six (6) investors in the Aurora Project. Every single investor in the Aurora Project has confirmed that they recommend that the Receiver accept the Aurora Offer;

26. The Aurora Offer contains a 21-day due diligence period. This due diligence period is inconsequential given that it is set to lapse well in advance of the deadline to submit offers in the Receiver's proposed Sale Process (*ie*, April 7, 2022). The investors in the Aurora Project were each informed of the due-diligence period in advance of providing their recommendation regarding the Aurora Offer;

27. The prospective purchaser is unlikely to participate in the Receiver's proposed Sale Process;

28. Farber has been retained by the investors in the Aurora Project to represent their interest in the Aurora Project. Farber has agreed to act as an advisor and liaison for investors with respect to the Aurora Offer;

29. The Aurora Offer should be accepted and that the Aurora Property should be excluded from the proposed Sale Process, given that:

- a) the Aurora Offer is significantly above-market;
- b) All six (6) investors in the Aurora Project support the Aurora Offer and recommend that it be accepted by the Receiver;
- c) the 21-day due diligence period would lapse in advance of the Bid Deadline;
- d) there is no certainty that Gerry Brower, as representative of the owners of the Other Lands and as the lender on the Aurora Project, would agree to terms with the Receiver regarding an offer within the Receiver's proposed Sale Process, and a sale of the Aurora Property on a stand-alone basis would not provide a favourable outcome for investors in the Aurora Project; and
- e) declining the Aurora Offer and proceeding with a sale of the Aurora Property in the Receiver's proposed Sale Process will have the effect of eroding investors' recoveries due to the significantly high cost of administering the proposed Sale Process;

30. It is unlikely that a better offer on the Aurora Property can be obtained in the proposed Sale Process. A sale of the Aurora Property in the Receiver's proposed Sale Process will erode

investors' recoveries due to the significantly high cost of administering the proposed Sale Process. This is particularly true with respect to the Aurora Project, where (as set out in the Second Report) the Receiver intends on engaging in discussions with Gerry Brouwer to negotiate the terms of a potential joint marketing of the Aurora Property and the Other Parcels, a process which invites complexities and costs, all which would be borne by investors;

SEALING ORDER

31. The Respondents seek a sealing order ("**Sealing Order**") with respect to the Confidential Exhibits to the Affidavit of Oscar Furtado sworn February 9, 2022 in order to seal:

- (a) the appraisal reports estimating the market value of the Glendale Property and the Aurora Property,
- (b) correspondence from investors regarding the Glendale Offer and the Aurora Offer, and
- (c) the Glendale Offer and the Aurora Offer;

32. The Sealing Order sought is necessary to prevent risk to the commercial interests of the investors in the Glendale Project and the Aurora Project;

33. Public exposure of the items in the Confidential Exhibits may cause real and substantial prejudice to the parties' ability to maximize the value of the Glendale Property and the Aurora Property in the proposed Sale Process;

34. As a matter of proportionality, the benefits of the Sealing Order outweigh its negative effects;

35. The *Rules of Civil Procedure* (Ontario), including Rules 1.04, 1.05, 37; and
36. 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 Motion:

- (a) the Affidavit of Oscar Furtado sworn February 8, 2022 and the Confidential Exhibits thereto;
- (b) the Second Report of the Receiver dated February 3, 2022; and
- (c) Such further and other grounds as counsel may advise and this Honourable Court may permit.

February 8, 2022

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ONTARIO SECURITIES COMMISSION
Applicant

and

GO-TO DEVELOPMENTS HOLDINGS
INC., et al.
Respondents

Court File No.: CV-21-00673521-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE -
COMMERCIAL LIST

Proceeding commenced at TORONTO

NOTICE OF MOTION
(Returnable February 9, 2022)

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TAB 2

Court File No.: CV-21-00673521-00CL

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

B E T W E E N :

ONTARIO SECURITIES COMMISSION

Applicant

- and -

GO-TO DEVELOPMENTS HOLDINGS INC., OSCAR FURTADO, FURTADO HOLDINGS INC., GO-TO DEVELOPMENTS ACQUISITIONS INC., GO-TO GLENDALE AVENUE INC., GO-TO GLENDALE AVENUE LP, GO-TO MAJOR MACKENZIE SOUTH BLOCK INC., GO-TO MAJOR MACKENZIE SOUTH BLOCK LP, GO-TO MAJOR MACKENZIE SOUTH BLOCK II INC., GO-TO MAJOR MACKENZIE SOUTH BLOCK II LP, GO-TO NIAGARA FALLS CHIPPAWA INC., GO-TO NIAGARA FALLS CHIPPAWA LP, GO-TO NIAGARA FALLS EAGLE VALLEY INC., GO-TO NIAGARA FALLS EAGLE VALLEY LP, GO-TO SPADINA ADELAIDE SQUARE INC., GO-TO SPADINA ADELAIDE SQUARE LP, GO-TO STONEY CREEK ELFRIDA INC., GO-TO STONEY CREEK ELFRIDA LP, GO-TO ST. CATHARINES BEARD INC., GO-TO ST. CATHARINES BEARD LP, GO-TO VAUGHAN ISLINGTON AVENUE INC., GO-TO VAUGHAN ISLINGTON AVENUE LP, AURORA ROAD LIMITED PARTNERSHIP and 2506039 ONTARIO LIMITED

Respondents

**AFFIDAVIT OF OSCAR FURTADO
(Sworn February 8, 2022)**

I, Oscar Furtado, of the City of Oakville, in the Regional Municipality of Halton, MAKE OATH AND SAY:

1. I am the founder and sole officer and director of Go-To Developments Holdings Inc. (“GTDH”) and as such, I have personal knowledge of the matters to which I herein depose. Where the source of my information or belief is other than my own personal knowledge, I have identified the source and the basis for my information and believe it to be true.

2. Pursuant to the receivership order of the Honourable Mr. Justice Pattillo of the Ontario Superior Court of Justice (Commercial List) issued December 10, 2021 (the “**Receivership Order**”), KSV Restructuring Inc. was appointed as receiver and manager (in such capacity, the “**Receiver**”) of: (i) the real properties and entities (the “**Real Property**”) listed at Schedule “A” to Receivership Order, and (ii) all the other assets, undertakings and properties of each of the parties listed on Schedule “B” to the Receivership Order (the “**Receivership Entities**”).

3. This affidavit is sworn in response to the Motion Record of the Receiver which was served on February 3, 2022, and returnable on February 9, 2022, pursuant to which the Receiver is seeking, among other things, approval of the proposed sale process (the “**Sale Process**”) to commence on February 28, 2022, as described in the Second Report of the Receiver dated February 3, 2022 (the “**Second Report**”).

OVERVIEW

4. As set out in the Second Report, the principal assets of the Receivership Respondents are the Real Property, which are nine real properties throughout Ontario that are in early stages of development (the “**Projects**”).

5. The purpose of this affidavit is to advise the Court of recent developments with respect to two (2) of the nine Projects, namely, the Go-To Glendale Avenue LP Project (the “**Glendale Project**”) and the Go-To Aurora Road LP Project (the “**Aurora Project**”).

6. As detailed below, I have received an offer from third parties for the purchase and sale of each of the following two properties:

- i. 527 Glendale Avenue, St. Catherines, ON (the “**Glendale Property**”), and
- ii. 4951 Aurora Road, Stouffville, ON (the “**Aurora Property**”).

7. The details of these two offers are set out herein. As described below, each of the two offers has unanimous support from all investors in each respective project, and I do not believe the proposed Sale Process will produce a better outcome in respect of either the Glendale Property or the Aurora Property, particularly in terms of managing risk on behalf of the investors in each project. Both offers provide for the full repayment of all secured debt. Accordingly, I believe that it would be in the best interest of the investors for the Receiver to accept these offers now, and proceed with a sale of the Glendale Property and the Aurora Property outside of the proposed Sale Process.

GLENDALE PROPERTY

8. On February 4, 2022, the day after the Motion Record of the Receiver was served, I received an unconditional offer for the purchase of the Glendale Property (the “**Glendale Offer**”). A copy of the Glendale Offer is attached as **Confidential Exhibit “A”** to this Affidavit.

9. The Glendale Property is owned by Go-To Glendale Avenue Inc. and Go-To Glendale Avenue Inc. (GP), which are Receivership Entities.

10. The total gross investment in the Glendale Project is \$3,100,000. Of this amount, \$785,437 has been paid to investors to date, making the total net investment in the Glendale Project \$2,314,563. The total estimated liabilities of the Glendale Property amount to \$3,839,884.

11. Attached as **Confidential Exhibit “B”** hereto is an appraisal report dated January 17, 2020, prepared by Cushman & Wakefield in respect of the Glendale Property. The purchase price in the Glendale Offer is significantly higher than the final value conclusion in the appraisal.

12. There are 13 investors in the Glendale Project. Every single investor in the Glendale Project has confirmed to me that they recommend that the Receiver accept the Glendale Offer now. Attached as **Confidential Exhibit “C”** hereto is a written confirmation from each of the 13 investors in the Glendale Project expressing their recommendation that the Receiver accept the Glendale Offer.

13. I strongly believe that if accepted, the Glendale Offer will result in the full repayment of the net investment to investors in the Glendale Project.

14. A. Farber & Partners Inc. (“**Farber**”) has been retained to represent the investors’ interest in the Glendale Project. The investors in the Glendale Property have sought Farber’s assistance to represent their interests in the Glendale Project, and Farber agrees to act as an advisor and liaison for investors with respect to the Glendale Offer. I understand that the Glendale Offer has been presented the Receiver.

15. I believe that the Glendale Offer should be accepted and that the Glendale Property should be sold outside of the proposed Sale Process, given that the Glendale Offer is highly advantageous

in that it is unconditional, above-market, and has unanimous investor support. The Glendale Offer provides for the full repayment of the secured debt on the Glendale Property.

16. I believe that the Glendale Offer represents the best likelihood for investors to obtain a full repayment of their net investment in the Glendale Project. I believe that declining the Glendale Offer and proceeding with a sale of the Glendale Property in the Receiver's proposed Sale Process will have the effect of eroding investors' recoveries due to the significantly higher cost of administering the Sale Process, the risk and delays that will arise in the proposed Sale Process, and the fact that the prospective purchaser has advised me that it is unlikely to participate in the Receiver's Sale Process due to such delays and increased professional costs. In other words, if the offer is not accepted, there is a real risk of not obtaining a better offer at an unknown time in the future. The investors do not want to be exposed to that risk, and want the offer accepted now.

AURORA PROPERTY

17. On February 6, 2022, three days after the Motion Record of the Receiver was served, I received an offer for the purchase the Aurora Property (the "**Aurora Offer**"). A copy of the Aurora Offer is attached as **Confidential Exhibit "D"** to this Affidavit.

18. As set out in the Second Report:

- i. The Aurora Property is owned by 2506039 Ontario Limited ("**Go-To Aurora**"), which is a Receivership Entity;
- ii. Go-To Aurora intended on developing the Aurora Property in coordination with the owner(s) of the four adjacent parcels (the "**Other Parcels**");

- iii. Gerry Brouwer represents the owners of the Other Parcels;
- iv. On January 25, 2022, Hillmount Capital Mortgage Holdings Inc. and Hillmount Capital (“**Hillmount**”) assigned its interest in its mortgage over the Aurora Property and the Other Parcels to Gerry Brouwer’s numbered company; and
- v. The Receiver intends on marketing the Aurora Property and the Other Parcels jointly as one assembly in the Sale Process and intends to engage in discussions with Gerry Brouwer regarding the particular terms of the process. To date, Gerry Brouwer and the Receiver have not entered into an agreement for the co-marketing and sale of the Aurora Property and the Other Parcels.

19. The total gross investment in the Aurora Project is \$1,500,000. Of this amount, \$200,371 has been paid to investors to date, making the net investment in the Aurora Property \$1,299,630. The total estimated liabilities of the Aurora Property amount to \$3,140,000.

20. Go-To Aurora is party to a joint venture agreement with a company controlled by Gerry Brouwer, 341868 Ontario Limited (“**JV Agreement**”), which was entered into for the purpose of developing, constructing, and operating the Aurora Property. Due to the unique nature of the Aurora Property and the terms of the JV Agreement, the best outcome for investors would involve a joint sale of the Aurora Property and the Other Parcels. This would maximize the value of the Aurora Property, and would require that Go-To Aurora and Gerry Brouwer agree on terms with respect to the allocation of the proceeds of any sale.

21. I believe that absent an agreement regarding the allocation of the proceeds of sale of the Aurora Property, the value of the Aurora Property would be significantly depressed.

22. Attached as **Confidential Exhibit “E”** hereto is an appraisal report dated January 1, 2018, prepared by Colliers in respect of the Aurora Property. The purchase price in the Aurora Offer is significantly higher than the final value conclusion in the appraisal.

23. There are six (6) investors in the Aurora Project. Every single investor in the Aurora Project has confirmed that they recommend that the Receiver accept the Aurora Offer. Attached as **Confidential Exhibit “F”** hereto is a written confirmation from each of the six (6) investors in the Aurora Project, expressing their recommendation that the Receiver accept the Aurora Offer.

24. The Aurora Offer contains a 21-day due diligence period. I believe that this due diligence period is inconsequential given that it is set to lapse well in advance of the deadline to submit offers in the Receiver’s Sale Process (*ie*, April 7, 2022). The investors in the Aurora Project were each informed of the due diligence period in advance of providing their recommendation regarding the Aurora Offer.

25. In connection with the Aurora Offer, I have been informed by the prospective purchaser’s agent, Joe Di Matteo, that the prospective purchaser would not be willing to participate in the Receiver’s Sale Process.

26. Farber has been retained to represent the investors’ interest in the Aurora Project. The investors in the Aurora Property have sought Farber’s assistance to represent their interests in the Aurora Project, and Farber agrees to act as an advisor and liaison for investors with respect to the Aurora Offer. I understand that the Aurora Offer has been presented to the Receiver.

27. I believe that the Aurora Offer should be accepted and that the Aurora Property should be sold outside of the Sale Process, given that:

- a) the Aurora Offer is significantly above-market;
- b) All six (6) investors in the Aurora Project support the Aurora Offer and recommend that it be accepted by the Receiver;
- c) the 21-day due diligence period would lapse in advance of the Bid Deadline;
- d) there is no certainty that Gerry Brower, as representative of the owners of the Other Lands and as the lender on the Aurora Project, would agree to terms with the Receiver regarding an offer within the Receiver's Sale Process, and a sale of the Aurora Property on a stand-alone basis would not provide a favourable outcome for investors in the Aurora Project, as the Aurora Property would no longer be considered a developable property; and
- e) declining the Aurora Offer and proceeding with a sale of the Aurora Property in the Receiver's Sale Process will have the effect of eroding investors' recoveries due to the significantly high cost of administering the Sale Process.

28. For the reasons above, I believe the Aurora Offer should be accepted and that the Aurora Property should be excluded from the proposed Sale Process.

29. I believe that it is very unlikely that a better offer on the Aurora Property can be obtained in the proposed Sale Process, and that declining the Aurora Offer and proceeding with a sale of

the Aurora Property in the Receiver’s Sale Process will have the effect of eroding investors’ recoveries due to the significantly high cost of administering the Sale Process. This is particularly true with respect to the Aurora Project, where (as set out in the Second Report), the Receiver intends on engaging in discussions with Gerry Brouwer to negotiate the terms of a potential joint marketing of the Aurora Property and the Other Parcels, a process which invites uncertainties, complexities and costs, all which would be borne by investors. The Aurora Offer is significantly above market, it has unanimous investor support, and I believe it provides for the best outcome for investors in the Aurora Project. Similar to the Glendale Property, if the offer is not accepted, there is a real risk of not obtaining a better offer at an unknown time in the future. The investors do not want to be exposed to that risk, and wan the offer accepted now.

30. I believe that sealing the Confidential Exhibits to this affidavit is necessary to prevent risk to the commercial interests of the investors in the Glendale Project and the Aurora Project. I believe that public exposure of the items in the Confidential Exhibits may cause real and substantial prejudice to the parties’ ability to maximize the value of the Glendale Property and the Aurora Property in the proposed Sale Process. Accordingly, I understand that the Respondents are requesting a sealing order over the Confidential Exhibits.

31. I swear this affidavit in connection with the Motion of the Receiver returnable February 9, 2022, and for no other or improper purpose or delay.

SWORN before me at the City of Mississauga, in the Province of Ontario, this 8th day of February 2022 in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely

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and

**GO-TO DEVELOPMENTS HOLDINGS
INC., et al.**
Respondents

Court File No.: CV-21-00673521-00CL

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

Proceeding commenced at TORONTO

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(Sworn February 8, 2022)**

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ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceeding Commenced at
TORONTO

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(RETURNABLE FEBRUARY 9, 2022)

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RCP-F 4C (September 1, 2020)