



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: BK-21-02747949-0031 DATE: MARCH 2, 2023

REGISTRAR: LOUISE PATERSON

NO. ON LIST: 1 – 10:00 AM

TITLE OF PROCEEDING: GROSS CAPITAL INC. (Debtor) -v- MAXINE GOLDEN (Creditor)

BEFORE JUSTICE: JUSTICE WILTON-SIEGEL

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
JEREMY NEMERS	Counsel for Licensed Insolvency Trustee – KSV Restructuring	jnemers@airdberlis.com
DAVID SIERADZKY	KSV Restructuring	

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
JASON WADDEN & JOIE CHOW	Counsel for Mark Gross, Sheldon Gross & Gross Medical	jwadden@tyrllp.com / jchow@tyrllp.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info

ENDORSEMENT OF JUSTICE WILTON-SIEGEL:

I heard certain submissions from counsel to KSV Restructuring Inc., in its capacity as the Licensed Insolvency Trustee (in such capacity, the "**Bankruptcy Trustee**") of Gross Capital Inc. (the "**Bankrupt**"), and from counsel to Mark Gross, Gross Medical Opportunities Fund ("**GMOF**") and Gross Medical Opportunities Fund LP ("**GMOF LP**"). We then adjourned for lunch, at which time counsel discussed this matter further at my encouragement, and the parties have agreed to the following resolution:

- a) GMOF and GMOF LP shall jointly cause Fogler Rubinoff LLP to release \$404,298.50 to the Bankruptcy Trustee forthwith, in full and final satisfaction of the amounts the Bankruptcy Trustee alleges are owing to the Bankrupt by GMOF and GMOF LP;
- b) the balance of the Bankruptcy Trustee's motion, and the totality of Mark Gross' cross-motion, are withdrawn with prejudice; and
- c) no costs in favour of either side.

DATED this 2nd day of March, 2023.



JUSTICE WILTON-SIEGEL