

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

THE HONOURABLE **MADAM** ) THURSDAY, THE 9TH  
)  
JUSTICE **GILMORE** ) DAY OF JANUARY, 2020

BETWEEN:



**BRIDGING INCOME FUND LP,  
by its general partner SB FUND GP INC.**

Applicant

- and -

**3886727 CANADA INC.,  
carrying on business as Holistic Blend**

Respondent

**APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND  
INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED AND SECTION 101 OF THE  
*COURTS OF JUSTICE ACT*, R.S.O. 1990, C. C.43, AS AMENDED**

**ORDER**

**THIS CROSS-MOTION**, KSV Kofman Inc. (“**KSV**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”), without security, of all the assets, undertakings and properties of 3886727 Canada Inc., carrying on business as Holistic Blend (the “**Debtor**”), acquired for, or used in relation to a business carried on by the Debtor (the “**Property**”), for an order, amongst other things: (i) approving the First Report of the Receiver

dated December 18, 2019 (the “**First Report**”) and the actions of the Receiver set out therein; (ii) approving the fees and disbursements of the Receiver and its counsel; and (iii) declaring that no money is owed by the Receiver to 9022619 Canada Inc. (“**902**”), was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Affidavit of Brian Champ sworn October 7, 2019 (including the exhibits thereto), the Affidavit of Debbie Pelczynski sworn October 18, 2019 (including the exhibits thereto) and the First Report (including the appendices thereto, including, without limitation, the fee affidavits therein (the “**Fee Affidavits**”)), and on hearing the submissions of counsel for the Receiver, counsel for 902, counsel for Bridging Income Fund LP, by its general partner SB Fund GP Inc. and such other counsel as was present, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Paula Hoosain sworn December 19, 2019, filed,

### **SERVICE**

1. **THIS COURT ORDERS** that the time for service and filing of the Receiver’s notice of cross-motion and the Receiver’s corresponding responding and cross-motion record is hereby abridged and validated so that this cross-motion is properly returnable today and hereby dispenses with further service thereof.

### **APPROVAL OF FIRST REPORT**

2. **THIS COURT ORDERS** that the First Report be and is hereby approved and the actions of the Receiver described therein be and are hereby approved.

**APPROVAL OF FEES AND DISBURSEMENTS**

3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel as set out in the Fee Affidavits be and are hereby approved.

**NO REQUIREMENT TO PAY**

4. **THIS COURT ORDERS AND DECLARES** that no money is owed by the Receiver to 902, whether on account of occupation rent, the misdirected Customer Payment (as defined in the First Report), costs or otherwise.

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

*C. Gilmore, J.*

Justice C.A. Gilmore

*Costs of \$6200<sup>all in</sup> payable to the Receiver by the  
Receiv moving party 9022619 Canada's chng.  
of oral reasons given.*

*C. Gilmore, J.*

SUPERIOR COURT OF JUSTICE  
ENTERED  
JAN 10 2020  
C.O.  
COUR SUPÉRIEURE DE JUSTICE  
ENTRÉ

**BRIDGING INCOME FUND LP,  
by its general partner SB FUND GP INC.**

-and-

**3886727 CANADA INC.,  
carrying on business as Holistic Blend**

Applicant

Respondent

Court File No. CV-19-00620981-00CL

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SUPERIOR COURT OF JUSTICE  
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**Proceedings commenced at Toronto**

**ORDER**

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*Lawyers for the Receiver*