

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

**IN THE MATTER OF SECTION 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**

B E T W E E N:

CC2 (100) GP INC.

Applicant

and

KING DAVID INC.

Respondent

AIDE MEMOIRE OF THE APPLICANT
(for scheduling appearance on June 08. 2026)

June 05, 2026

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TO: SERVICE LIST

1. CC2 (100) GP Inc. (the “**Applicant**”) seeks to schedule a date for the hearing of its application to appoint KSV Restructuring Inc. (“**KSV**”) as receiver and manager of King David Inc. (the “**Debtor**”) in respect of the lands and premises municipally known as 100 Cathedral High Street, Markham, Ontario (the “**Real Property**”), and all personal property of the Debtor relating thereto.

2. The Debtor is indebted to the Applicant pursuant to secured lending arrangements which are in default. The Applicant’s security includes, among other things, a first mortgage registered against the Real Property. The underlying loan to the Debtor matured on December 01, 2024, but was not repaid. On January 16, 2025, a demand was made and a notice of intention to enforce security pursuant to section 244(1) of the *Bankruptcy and Insolvency Act* was issued. Subsequently, on February 04, 2025, a forbearance agreement was entered into, which expired on December 01, 2025. As of April 30, 2026, the indebtedness owing by the Debtor to the Applicant was \$4,498,916.21, excluding legal fees and disbursements. The Debtor has failed to repay the indebtedness and interest continues to accrue.

3. Helen Roman-Barber (“**Ms. Roman-Barber**”), the Respondent’s President and one of its two directors, was served personally with the Application Record on June 02, 2026. Ms. Roman-Barber is also a guarantor of the loan.

4. The Debtor owns other properties (the “**Other Properties**”) that are the subject of a separate receivership proceeding before the Commercial List, in Court File No. CV-23-0071411-00CL, in which TDB Restructuring Limited (formerly RSM Canada Limited) is the Court-

appointed receiver. The Other Properties are across the street from the Real Property which is the subject of the within application.

5. The Applicant seeks to have the Application heard as soon as reasonably possible.
6. If the Application is unopposed, the Applicant expects that the hearing will not take longer than 30 minutes.

All of which is respectfully submitted,

CC2 (100) GP INC.
Applicant

-and- **KING DAVID INC.**
Respondent

Court File No. CL-26-00000233-0000

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