



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: CV-23-00700695-00CL DATE: 26 September 2025

NO. ON LIST: 4

TITLE OF PROCEEDING: **MARSHALLZEHR GROUP INC. v LA PUE INTERNATIONAL
INC. et al**
BEFORE JUSTICE: **Justice J. Dietrich**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
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For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
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ENDORSEMENT OF JUSTICE J. DIETRICH:

- 1) On April 15, 2025, Justice Steele granted an endorsement setting out a process for the determination of proper Holdback amounts and also scheduled a motion for today to determine the priority of the holdback amount with respect to the Applicant's mortgage.
- 2) The process for determination of holdback amounts was to start with the delivery of a cost-consultant report, following which lien claimants had 14 days to object to the determinations set out in that report.
- 3) That cost-consultant report was delayed and was just received by the Receiver on September 22, 2025. The Receiver filed its Ninth report to court date September 25, 2025 (the "**Ninth Report**") containing a copy of the report and lien claimants now have until October 9, 2025 to object pursuant to Justice Steele's prior endorsement.
- 4) Although counsel for Buttcon Limited submits the priority motion should go ahead independent of a determination of the holdback amounts, from a practical perspective, the size of the holdback will impact on a potential negotiated resolution of the priority motion.
- 5) A 30-minute case conference is now scheduled for **October 31, 2025 at 10:00 am** to address next steps in the holdback process as well scheduling of the priority motion if the matters have not been resolved by then.
- 6) Aide memoires are to be uploaded no later than end of day on October 29, 2025.
- 7) Counsel for Buttcon Limited indicated that there may be a sealing order request for portions of the Ninth Report. That request can be addressed at the upcoming October 31, 2025 case conference.

September 26, 2025

Justice J. Dietrich