

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

)

MONDAY, THE 22ND

JUSTICE CAVANAGH

)

DAY OF JULY, 2024

)

BETWEEN:

MARSHALLZEHR GROUP INC.

Applicant

- and -

2557386 ONTARIO INC. and 2363823 ONTARIO INC. O/A MARIMAN HOMES

Respondents

ORDER

THIS MOTION, made by **KSV RESTRUCTURING INC.** in its capacity as Court-appointed receiver, without security (in such capacities, the “**Receiver**”), over all assets, undertakings and properties the Respondents for an order, *inter alia*:

- (i) validating service of the Receiver’s Motion Record;
- (ii) approving the sale of the property municipally known as 2051 Vickery Drive, Oakville, Ontario by the Receiver to Arshed Omer Bhatti and Aimen Iqbal pursuant to an agreement of purchase and sale dated June 7, 2024 (the “**Vickery Transaction**”) and distribution of net sale proceeds;
- (iii) approving the fees and disbursements of the Receiver and its legal counsel, Chaitons LLP (“**Chaitons**”), as described in the Second Report to the Court dated July 16, 2024 (the “**Second Report**”) and in the Fee Affidavit of Mitch Vininsky, sworn July 16,

2024 and the Fee Affidavit of Laura Culleton sworn July 10, 2024 (collectively, the “**Fee Affidavits**”),

- (iv) approving the Second Report and the conduct and activities of the Receiver described therein,

was heard this day via Zoom videoconference at 330 University Avenue, Toronto, Ontario.

ON READING the Second Report and on hearing the submissions of counsel for the Receiver, and such other counsel as are present and listed on the counsel slip,

SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

DISTRIBUTION

2. **THIS COURT ORDERS** that the Receiver is authorized and directed to distribute the net sale proceeds from the Vickery Transaction, after payment of the Receiver’s fees and disbursements, to Morris Wright Mortgage Company Ltd.

APPROVAL OF ACTIVITIES AND FEES

3. **THIS COURT ORDERS** that the Second Report and the activities of the Receiver described therein be and hereby are approved; provided, however, that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.
4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel, Chaitons LLP as described in the Second Report and the Fee Affidavits be and hereby are approved.

Applicant

Respondents

Court File No. CV-23-00699432-00CL	
	<p><i>ONTARIO</i> SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST) PROCEEDING COMMENCED AT TORONTO</p>
	<p>ANCILLARY ORDER (July 22, 2024)</p>
	<p>CHAITONS LLP 5000 Yonge Street, 10th Floor Toronto, Ontario M2N 7E9 Maya Poliak (LSO #54100A) Tel: (416) 218-1161 E-mail: maya@chaitons.com Lawyers for KSV Restructuring Inc., in its capacity as Court-Appointed Receiver</p>