



Court File No. CV-22-00678813-00CL

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

THE HONOURABLE CHIEF

)

THURSDAY, THE 9TH

JUSTICE MORAWETZ

)

DAY OF JUNE, 2022

)

BETWEEN:

PRICEWATERHOUSECOOPERS INC.

(solely in its capacity as court-appointed receiver and manager of
Bridging Finance Inc. and certain related entities and investment funds)

Applicant

- and -

MJARDIN GROUP, INC.

Respondent

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

SUPPLEMENTAL DISCHARGE AND FEE APPROVAL ORDER

THIS MOTION, made by KSV Restructuring Inc., in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of MJardin Group, Inc. pursuant to an order of this Court dated March 23, 2022 (the “**Appointment Order**”), with the

exception of any Excluded Assets and Excluded Business (each as defined in the Appointment Order), was heard this day via videoconference.

ON READING the First Report to Court of KSV Restructuring Inc. as Receiver and Manager of the assets, undertaking and property of MJardin Group, Inc. dated June 1, 2022 and the appendices attached thereto, including the Affidavit of Noah Goldstein sworn June 1, 2022 and the Affidavit of Christopher Armstrong sworn May 31, 2022 (the “**First Report**”), the Discharge Order granted by this Court on June 2, 2022, and the Receiver’s Discharge Certificate issued by the Receiver on June 3, 2022, and on hearing the submissions of counsel for the Receiver, counsel for PricewaterhouseCoopers Inc., in its capacity as court-appointed receiver and manager of Bridging Finance Inc. and certain related entities and investment funds, and such other counsel as were present, no one else appearing for any other person on the service list, although properly served as appears from the affidavit of service, filed:

SERVICE

1. **THIS COURT ORDERS** that the time for service of the notice of motion and the motion record herein, be and is hereby abridged and the service thereof validated so that the motion is properly returnable today, and hereby dispenses with further service thereof.

APPROVAL OF THE FIRST REPORT, ACTIVITIES AND FEES

2. **THIS COURT ORDERS** that the First Report, and the activities of the Receiver referred to therein, be and are hereby approved; provided, however, that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to reply upon or utilize in any way such approval.

3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel, as set forth in the First Report, are hereby approved.

RELEASE OF RECEIVER

4. **THIS COURT ORDERS** that the Receiver and its affiliates, partners, employees, agents, counsel and other advisors (collectively, the “**Released Persons**”) shall be and hereby are forever discharged and released from any and all liability that the Released Persons now or may hereafter have by reason of, or in any way arising out of, the acts or omissions of the Receiver while acting in its capacity as Receiver, whether known or unknown, matured or unmatured, foreseen or unforeseen, relating to matters that were raised, or could have been raised, in the within proceedings, save and except for any gross negligence or wilful misconduct on a Released Person’s part with respect to that Released Person alone.

GENERAL

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.

6. **THIS COURT ORDERS** that this order is effective as of the date hereof without the need for entry or filing.



CHIEF JUSTICE G.B. MORAWETZ

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

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**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**
Proceeding commenced at Toronto

**SUPPLEMENTAL DISCHARGE AND
FEE APPROVAL ORDER**

GOODMANS LLP
Barristers & Solicitors
333 Bay Street, Suite 3400
Toronto, Canada M5H 2S7

Christopher Armstrong LSO#: 55148B
carmstrong@goodmans.ca

Andrew Harmes LSO#: 73221A
aharmes@goodmans.ca

Brennan Caldwell LSO#: 81627N
bcaldwell@goodmans.ca

Tel: (416) 979-2211
Fax: (416) 979-1234

Lawyers for KSV Restructuring Inc., in its capacity as
Court-appointed Receiver