

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

JUSTICE HAINEY

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THURSDAY, THE 3rd

DAY OF SEPTEMBER, 2020



BETWEEN:

ECN FINANCIAL INC.

Applicant

- and -

2345760 ONTARIO INC., RANDO DRUGS LTD., 2275518 ONTARIO INC., FAMILY HEALTH PHARMACY WEST INC. formerly known as M. BLACHER DRUGS LTD., 2501380 ONTARIO INC., 2527218 ONTARIO INC., DUMOPHARM INC. and 2527475 ONTARIO INC. and GRACE DIENA

Respondents

**ORDER
(2275518 Ontario Inc.)**

THIS MOTION, made by KSV Kofman Inc. ("**KSV**") in its capacity as the Court-appointed receiver (in such capacity, the "**Receiver**") of the property, assets and undertaking of Rando Drugs Ltd. ("**Rando**"), 2275518 Ontario Inc. ("**2275**") and the other Respondents listed above (collectively, the "**Debtors**") for orders, among other things amending certain provisions of the Receivership Order (defined below) as it relates to 2275518 Ontario Inc.

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

ON READING the Receiver's Motion Record, including the Notice of Motion and the Third Report of the Receiver dated August 27, 2020 (the "**Third Report**"), and on hearing the submissions of counsel for the Receiver, Toronto-Dominion Bank ("**TD**") and those other parties

present no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Service of Gianni Bianchi sworn and filed on September 1, 2020:

NOTICE AND SERVICE

1. **THIS COURT ORDERS** that the time for service of the Motion Record in respect of this motion and the Third Report is hereby abridged and validated so that the motion is properly returnable today, and that further service thereof is hereby dispensed with.

AMENDMENT OF RECEIVERSHIP ORDER

2. **THIS COURT ORDERS** that the order of this Court made on December 4, 2019 (as amended, the "Receivership Order"), solely as it relates to 2275, be and is hereby amended such that the Receiver's powers set out in paragraph 3 of the Receivership Order shall be limited to (i) the preparation and filing of the 2019 tax return and application for Scientific Research and Experimental Development ("SR&ED") tax credits and (ii) the powers set out in paragraph 3 below. For greater certainty, the Receiver shall have no obligation to take possession or control of, dispense of or otherwise deal with any of 2275's patient records or any other books and records of Abira containing patient or personal data.

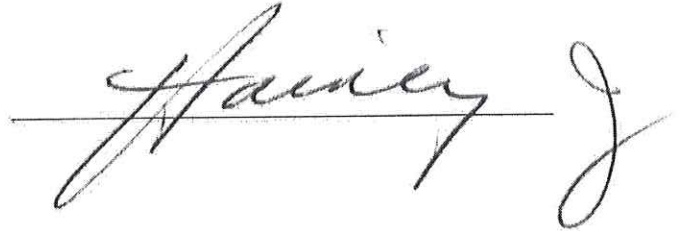
3. **THIS COURT ORDERS** that in addition to the powers set out in paragraph 2 above, the Receiver shall be and is hereby authorized and empowered but not obligated to file an assignment in bankruptcy on behalf of 2275.

4. **THIS COURT ORDERS** that for greater certainty the Receiver shall continue to enjoy all of the protections afforded to it as set out in the Receivership Order and nothing shall impact or impair the application of the stay of proceedings as set out in the Receivership Order.

MISCELLANEOUS

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.

A handwritten signature in black ink, appearing to read "J. Fainy", is written over a horizontal line. The signature is cursive and extends to the right of the line.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

SEP 08 2020

PER / PAR: *RW*

ECN FINANCIAL INC. and 2345760 ONTARIO INC., et al
Applicant Respondents

Court File No.: CV-19-632106-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceeding commenced at TORONTO.

**ORDER
(2275518 Ontario Inc.)**

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