

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE )  
 )  
JUSTICE KOEHNEN ) FRIDAY, THE 1ST  
 DAY OF OCTOBER, 2021

B E T W E E N:



SWINDERPAL SINGH RANDHAWA

Applicant

- and -

RANA PARTAP SINGH RANDHAWA, PROEX LOGISTICS INC.,  
GURU LOGISTICS INC., 1542300 ONTARIO INC. (OPERATED AS ASR  
TRANSPORTATION), 2221589 ONTARIO INC., 2435963 ONTARIO INC.,  
NOOR RANDHAWA CORP., SUPERSTAR TRANSPORT LTD.,  
R.S. INTERNATIONAL CARRIERS INC., SUBEET CARRIERS INC.,  
SUPERSTAR LOGISTICS INC., CONTINENTAL TRUCK SERVICES INC.,  
AND ASR TRANSPORTATION INC.

Respondents

**ORDER  
(Advice and Direction re Investigation Mandate)**

THIS MOTION, made by KSV Restructuring Inc. in its capacity as receiver and manager (in such capacities, the “**Receiver**”) without security, of all of the assets, undertakings and property (collectively, the “**Property**”) of Proex Logistics Inc. Guru Logistics Inc., 1542300 Ontario Inc. (operated as ASR Transportation), 2221589 Ontario Inc., 2435963 Ontario Inc., Noor Randhawa Corp., Superstar Transport Ltd., R.S. International Carriers Inc., Subeet Carriers Inc., Superstar Logistics Inc., Continental Truck Services Inc., and ASR Transportation Inc., (collectively, “**RGC**”) acquired for, or used in relation to a business carried on by RGC, was heard by judicial videoconference via Zoom at Toronto, Ontario due to the COVID-19 crisis;

ON READING the Notice of Motion of the Receiver dated September 24, 2021, the Fifth Report of the Receiver dated September 24, 2021 (the "**Fifth Report**"), and upon hearing the submissions of counsel for the Receiver and counsel for the other parties appearing on the Participant Information Form; and no one else appearing although duly served as appears from the affidavits of service of Kieran May sworn September 25, 2021, September 27, 2021, and September 30, 2021, respectively, filed;

### **SERVICE**

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

### **ADDITIONAL POWERS IN THE INVESTIGATION MANDATE**

2. **THIS COURT ORDERS** that without limiting the powers set out in the Amended and Restated Order (Appointing Receiver) dated June 4, 2021 (the "**Amended Receivership Order**"), the Receiver is authorized to:

- (a) retain a valuation expert to assist the Receiver in determining the potential value of litigation claims owned by RGC (the "**RGC Causes of Action**"); and
- (b) solicit interest in the purchase of any RGC Causes of Action.

3. **THIS COURT ORDERS** that notwithstanding paragraphs 29 and 30 of the Amended Receivership Order, the Receiver is authorized to use the proceeds of the sale of the Trucking Business (as defined in paragraph 3 the Amended Receivership Order) to fund the costs of the Investigation Mandate (as defined in paragraph 3 of the Amended Receivership Order). The Receiver's Charge (as defined in paragraph 21 of the Amended Receivership Order) applies to

secure the reasonable fees and disbursements of the Receiver in carrying out the Investigation Mandate.

4. **THIS COURT ORDERS** that all other provisions of the Amended Receivership Order shall continue unaffected by the terms of this Order.

#### **SEALING**

5. **THIS COURT ORDERS AND DECLARES** that the unredacted version of the Receiver's Compendium dated September 24, 2021 be and is hereby sealed on the Court file and shall be treated as confidential until further Order of this Court.

#### **GENERAL**

6. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States or any other jurisdiction 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 and to assist the Receiver and its agents in carrying out the terms of this Order.

7. **THIS COURT ORDERS** that this Order is effective from today's date and it is made an enforceable without any need for entry or filing.

  
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SWINDERPAL SINGH RANDHAWA  
Applicant

-and- RANA PARTAP SINGH RANDHAWA  
Respondent

Court File No. CV-18-593636-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

PROCEEDING COMMENCED AT  
TORONTO

**ORDER  
(ADVICE AND DIRECTION RE INVESTIGATION  
MANDATE)**

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Lawyers for KSV Restructuring Inc. in its capacity as  
Receiver