

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

THE HONOURABLE) FRIDAY, THE 21ST
)
JUSTICE CONWAY) DAY OF APRIL, 2023

THE SUPERINTENDENT OF FINANCIAL SERVICES

Applicant

- and -

TEXTBOOK STUDENT SUITES (525 PRINCESS STREET) TRUSTEE CORPORATION, TEXTBOOK STUDENT SUITES (555 PRINCESS STREET) TRUSTEE CORPORATION, TEXTBOOK STUDENT SUITES (ROSS PARK) TRUSTEE CORPORATION, 2223947 ONTARIO LIMITED, MC TRUSTEE (KITCHENER) LTD., SCOLLARD TRUSTEE CORPORATION, TEXTBOOK STUDENT SUITES (774 BRONSON AVENUE) TRUSTEE CORPORATION, 7743718 CANADA INC., KEELE MEDICAL TRUSTEE CORPORATION, TEXTBOOK STUDENT SUITES (445 PRINCESS STREET) TRUSTEE CORPORATION and HAZELTON 4070 DIXIE ROAD TRUSTEE CORPORATION

Respondents

APPLICATION UNDER SECTION 37 OF THE MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT, 2006, S.O. 2006, c. 29 and SECTION 101 OF THE COURTS OF JUSTICE ACT, R.S.O. 1990 c. C.43

ANCILLARY ORDER

THIS MOTION, made by Grant Thornton Limited (“GTL”), in its capacity as the Court-appointed trustee (in such capacity, the “Trustee”) of each of the Respondents in this proceeding, for an Order, *inter alia*: (i) approving the Fifteenth Report of the Trustee dated April 10, 2023 (the “Fifteenth Report”) and the activities of the Trustee set out in the Fifteenth Report; and (ii) approving the fees and disbursements of the Trustee and its counsel, was heard this day via videoconference.

ON READING the Fifteenth Report, including the fee affidavits appended thereto (the “**Fee Affidavits**”), and on hearing the submissions of counsel for the Trustee and such other counsel as were present, no one appearing for any other person on the service list although duly served as appears from the affidavit of service of Aleksandra Cupic sworn April 12, 2023,

1. **THIS COURT ORDERS** that the time for service 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.

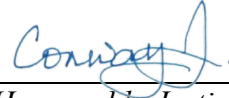
2. **THIS COURT ORDERS** that the Fifteenth Report and the activities of the Trustee described therein, be and are hereby approved; provided however, that only the Trustee in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way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

3. **THIS COURT ORDERS** that the fees and disbursements of the Trustee and its counsel, as described in the Fifteenth Report and as set out in the Fee Affidavits appended to the Fifteenth Report, be and are hereby approved.

4. **THIS COURT ORDERS** that the Land Registrar of the Land Registry Office of Muskoka Region (No. 35) be directed to delete the Application to Register Court Order registered as Instrument Number MT175835 from the parcel register for PINs 48115-0168 (LT) and 48115-0429 (LT) only.

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 Trustee 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 Trustee, an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Trustee and its agents in carrying out the terms of this Order.



The Honourable Justice ~~Kimmel~~ Conway-----

THE SUPERINTENDENT OF FINANCIAL SERVICES

- and - **TEXTBOOK STUDENT SUITES (525 PRINCESS STREET)
TRUSTEE CORPORATION, et al.**

Applicant

Respondents

Court File No. CV-16-11567-00CL

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

Proceedings commenced at Toronto

ANCILLARY ORDER

AIRD & BERLIS LLP
Barristers and Solicitors
Brookfield Place
181 Bay Street, Suite 1800
Toronto, ON M5J 2T9

Steven L. Graff (LSO #31871V)
Tel: (416) 865-7726
Email: sgraff@airdberlis.com

Ian Aversa (LSO #55449N)
Tel: (416) 865-3082
Email: iaversa@airdberlis.com

Miranda Spence (LSO #60621M)
Tel: (416) 865-3414
Email: mspence@airdberlis.com

Lawyers for Grant Thornton Limited, in its capacity as the
court-appointed trustee of each of the Respondents