

**ONTARIO
SUPERIOR COURT OF JUSTICE
[COMMERCIAL LIST]**

THE HONOURABLE) THURSDAY, THE 25th DAY
JUSTICE McEWEN) OF APRIL, 2019

BETWEEN:

LAURENTENTAN BANK OF CANADA

Applicant

- and -

SEAWAY TRAVEL CENTRE LTD.

Respondent



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

**ORDER
(AMENDING APPROVAL AND VESTING ORDER)**

THIS MOTION, made by KSV Kofman Inc., in its capacity as Court-appointed receiver (in such capacity, the "**Receiver**"), without security, of certain of the assets, undertaking and property of Seaway Travel Centre Ltd. for an order, *inter alia*, enacting an administrative amendment to the approval and vesting order made in these proceeding dated February 22, 2019 (the "**Approval & Vesting Order**"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON HEARING the submissions of counsel for the Receiver, no other person being served with notice of the within motion,

1. **THIS COURT ORDERS** that any required service of notice of this motion is hereby dispensed with such that this motion is properly returnable today.
2. **THIS COURT ORDERS** that the Recitals in the Approval & Vesting Order be and are hereby amended, *nunc pro tunc* from the date of first issue of such order, to correct the legal name of the purchaser by deleting the phrase "...401 Cornwall Plaza Inc. (the **"Purchaser"**)..." and replacing it with "...401 Plaza Cornwall Inc. (the **"Purchaser"**)..."
3. **THIS COURT ORDERS** that the Land Registrar is hereby directed to enter 401 Plaza Cornwall Inc. as the owner in fee simple of Real Property, as defined in the Approval & Vesting Order, and as identified as follows:

PIN 07074-0452 (LT)

2690 Brookdale Avenue, Cornwall, Ontario

PT LT 13 CON 3 CORNWALL PT 5 TO 7 52R6126 & PT 1 52R3275; S/T &
T/W S338049; S/T S310281; T/W S312075; S/T INTEREST IN S310283;
CORNWALL

4. **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.

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

APR 25 2019



PER / PAR: *UM*

BETWEEN:

LAURENTIAN BANK OF CANADA
Applicant

-and-

SEAWAY TRAVEL CENTRE LTD.
Respondent

Court File No. CV-18-600981-00CL

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

ONTARIO SUPERIOR COURT OF JUSTICE [COMMERCIAL LIST] Proceeding commenced at TORONTO	
ORDER (AMENDING APPROVAL & VESTING ORDER)	
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