



SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

COUNSEL SLIP / ENDORSEMENT

COURT FILE NO.: CV-21-00663051-00CL

DATE: 14 April 2023

NO. ON LIST: 3

TITLE OF PROCEEDING: **KINGSETT MORTGAGE CORPORATION v. SUNRISE
ACQUISITIONS (HWY 7) INC.**

BEFORE JUSTICE: **OSBORNE**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|------------------------|--|
| Joseph Blinick | KSV Restructuring Inc. | blinickj@bennettjones.com fosterj@bennettjones.com |
| | Nayyar Shabbar | |
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For Defendant, Respondent, Responding Party, Defence:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|--|--|
| Sara Mosadeq | Sunrise Acquisitions Hwy 7 Inc., Sunrise Homes Ltd. Sunrise Acquisitions Unionville Inc. Sunrise Acquisitions Bronte inc, Sunrise Acquisitions Keswick Inc, Sunrise Acquisitions Tidale Inc. SH & MK Management Inc, Sunrise Acquisitions Keswick II, Sajjad Hussain, Muzammil Kodwavi, Safana Kodwavi and Mahvesh Hussain | sara@rarlitigation.com |
| Mary Paterson | Fan Mortgage Administrators as Court appointed Trustee | mpaterson@osler.com |

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|----------------|-------------------------------|---------------------|
| Laura Culleton | Syndicated Mortgage Investors | laurac@chaitons.com |
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For Other, Self-Represented:

| Name of Person Appearing | Name of Party | Contact Info |
|---------------------------------|----------------------|---------------------|
| Amandeep Sidhu | Nayyar Shabbar | asidhu@kmblaw.com |
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ENDORSEMENT OF JUSTICE OSBORNE:

1. This motion came on for hearing on the merits today. At the outset of submissions, counsel advised that the parties had reached a settlement late yesterday.
2. That settlement resolves all issues save and except the entitlement to Mr. Shabbar, now appearing in represented today, to the sum of \$724,443 and related issues. Ms. Mosadeq confirmed that her consent was in respect of all issues except for those directly affecting Mr. Shabbat are, who of course has his own counsel.
3. The Receiver will file a formal Report to the court which will include the Minutes of Settlement.
4. The parties presented a draft amended and restated order today, which has the consent of all parties. As noted, it is made as against the settlement reached yesterday and reflects the consent resolution of all issues except as noted above.
5. Order to go in the form signed by me today which is effective immediately and without the necessity of issuing and entering.
6. I commend counsel on their comprehensive settlement of these complicated issues.
7. Counsel for the Receiver and counsel for Mr. Shabbat are will work out among themselves a schedule to deal with that motion and then time can be booked through the Commercial List office if the matter proceeds on a contested basis.

Osborne, J.