

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE MR.) MONDAY, THE 18TH
JUSTICE HAINES) DAY OF NOVEMBER, 2019



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 Eleventh Report of the Trustee dated January 15, 2019 (the “Eleventh Report”) and the activities of the Trustee set out in the Eleventh Report; (ii) approving the Twelfth Report of the Trustee dated November 1, 2019 (the “Twelfth Report”) and the activities of the Trustee set out in the Twelfth Report; and (iii) approving the fees and disbursements of the Trustee and its counsel and an allocation of such fees and disbursements, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Eleventh Report and the Twelfth 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 Eunice Baltkois sworn November 1, 2019 and the affidavit of Susy Moniz sworn November 5, 2019,

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 Eleventh Report and the activities of the Trustee described therein be and are hereby approved.
3. **THIS COURT ORDERS** that the Twelfth Report and the activities of the Trustee described therein be and are hereby approved.
4. **THIS COURT ORDERS** that the fees and disbursements of the Trustee and its counsel and an allocation of such fees and disbursements, as described in the Twelfth Report and as set out in the Fee Affidavits appended to the Twelfth Report, be and are hereby approved.
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.



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THE SUPERINTENDENT OF FINANCIAL SERVICES

Applicant

- and -

**TEXTBOOK STUDENT SUITES (525 PRINCESS STREET)
TRUSTEE CORPORATION, ET AL.**

Respondents

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

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

Proceedings commenced at Toronto

ANCILLARY ORDER

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