

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

THE HONOURABLE) WEDNESDAY, THE 17th
MR. JUSTICE MYERS) DAY OF MAY, 2017
)

B E T W E E N:

**KSV KOFMAN INC. IN ITS CAPACITY AS RECEIVER AND MANAGER
OF CERTAIN PROPERTY OF SCOLLARD DEVELOPMENT
CORPORATION, MEMORY CARE INVESTMENTS (KITCHENER)
LTD., MEMORY CARE INVESTMENTS (OAKVILLE) LTD., 1703858
ONTARIO INC., LEGACY LANE INVESTMENTS LTD., TEXTBOOK
(525 PRINCESS STREET) INC. AND TEXTBOOK (555 PRINCESS
STREET) INC.**

Plaintiff

- and -

TEXTBOOK (256 RIDEAU STREET) INC.

Defendant



**ORDER
(Certificates of Pending Litigation)**

THIS MOTION, made without notice by the plaintiff, KSV Kofman Inc. (“**KSV**”) solely in its capacity as Receiver and Manager of certain property of Scollard Development Corporation, Memory Care Investments (Kitchener) Ltd., Memory Care Investments (Oakville) Ltd., 1703858 Ontario Inc., Legacy Lane Investments Ltd., Textbook (525 Princess Street) Inc. and Textbook (555 Princess Street) Inc. and not in its personal capacity or in any other capacity, pursuant to section 103 of the *Courts of Justice Act* and Rule 42 of the *Rules of Civil Procedure*, for certificates of pending litigation and related relief, was heard this day.

ON READING the materials filed by the plaintiff, including the Notice of Motion, the third report of KSV dated May 16, 2017 and the appendices thereto, the factum, and the brief of authorities of the plaintiff,

1. **THIS COURT ORDERS** that the Registrar shall issue Certificates of Pending Litigation on and as against title to:

(a) the real property municipally described as 256 Rideau Street, Ottawa, Ontario, which is legally described under PIN 04210-0004 (LT) as LT 7, PL 6 , S OF RIDEAU ST, S/T & T/W CR180805; OTTAWA; and

(b) the real property municipally described as 211 Besserer Street, Ottawa, Ontario, which is legally described under PIN 04210-0009 (LT) as PCL 7-1, SEC 6; LT 7, PL 6, PART 1 - 3, 4R919, N OF BESSERER; OTTAWA;

2. **THIS COURT FURTHER ORDERS** that the plaintiff is hereby granted leave to register this Order and the Certificates of Pending Litigation against title to the properties described in paragraph 1 above.

3. **THIS COURT FURTHER ORDERS** that this Order shall remain in full force and effect until further Order of this Court. In the event the defendant brings a motion to remove the Certificates of Pending Litigation, it may move for such relief on not less than seven days' notice to the plaintiff.

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

MAY 17 2017

PER / PAR:


A. Anissimova
Registrar

**KSV KOFMAN INC. in its capacity as Receiver and Manager of
Certain Property of Scollard Development Corporation, et al.**
Plaintiff

v.

TEXTBOOK (256 RIDEAU STREET) INC.

Defendant

Court File No: CV-17-11805-00CL

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

PROCEEDING COMMENCED AT
TORONTO

**ORDER
(Certificates of Pending Litigation)**

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