

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR. )  
 )  
JUSTICE MYERS ) MONDAY, THE 26<sup>TH</sup> DAY  
 )  
 ) OF NOVEMBER, 2018

**IN THE MATTER OF THE RECEIVERSHIP 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 IN THE MATTER OF A MOTION PURSUANT TO 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**



**ANCILLARY ORDER**

**THIS MOTION**, made by KSV Kofman Inc. in its capacity as Court-appointed receiver (in such capacity, the “**Receiver**”) of the real property municipally described as 169 Borden Avenue North, Kitchener, Ontario (the “**Real Property**”) registered on title as being owned by Memory Care Investments (Kitchener) Ltd. (“**Kitchener**” or the “**Company**”), and of all of the assets, undertakings and properties of the Company acquired for or used in relation to the Real Property (together with the Real Property, the “**Property**”), was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Notice of Motion and the Receiver’s Fourteenth Report dated November 21, 2018 (the “**Fourteenth Report**”), together with the appendices thereto, the

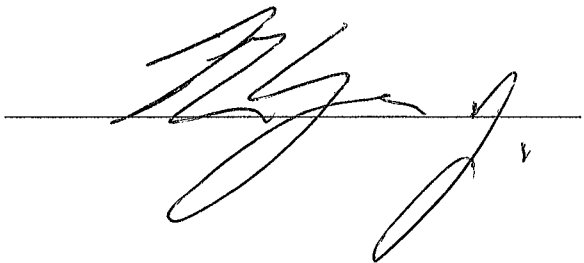
affidavits of the Receiver and its counsel as to fees (the “**Fee Affidavits**”) and on hearing the submissions of counsel for the Receiver and such other counsel as were present, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Danish Afroz sworn November 21, 2018, filed,

1. **THIS COURT ORDERS** that the Confidential Appendices to the Fourteenth Report shall be sealed and kept confidential pending completion of the Transaction (as defined in the Fourteenth Report).

2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel, as set out in the Fourteenth Report and in the Fee Affidavits, be and are hereby approved.

3. **THIS COURT ORDERS** that following the delivery of the Receiver’s Certificate contemplated by the Approval and Vesting Order granted on the date hereof, the Receiver is authorized and directed to:

- (a) first, make one or more distributions to pay outstanding fees and expenses owing to the Receiver and its counsel related to this proceeding; and
- (b) second, make one or more distributions to MarshallZehr Group Inc. (“**MZG**”) until the amounts owing to MZG are paid in full.

A handwritten signature in black ink, appearing to be 'RW', is written over a horizontal line. The signature is stylized and cursive.

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

NOV 26 2018

PER / PAR: *RW*

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

Proceeding commenced at Toronto

**ANCILLARY ORDER  
(November 26, 2018)**

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