

Court of Appeal File No. COA-23-OM-0172
Court File No. CV-16-11389-00CL
Court File No. CV-22-00688349-00CL

COURT OF APPEAL FOR ONTARIO

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF URBANCORP TORONTO MANAGEMENT INC., URBANCORP (ST. CLAIR VILLAGE) INC., URBANCORP (PATRICIA) INC., URBANCORP (MALLOW) INC., URBANCORP (LAWRENCE) INC., URBANCORP DOWNSVIEW PARK DEVELOPMENT INC., URBANCORP (952 QUEEN WEST) INC., KING RESIDENTIAL INC., URBANCORP 60 ST. CLAIR INC., HIGH RES. INC., BRIDGE ON KING INC. (Collectively the "Applicants") AND THE AFFILIATED ENTITIES LISTED IN SCHEDULE "A" HERETO

AND

BETWEEN:

MATTAMY (DOWNSVIEW) LIMITED

Applicant
(Responding Party)

- and -

KSV RESTRUCTURING INC., IN ITS CAPACITY AS THE COURT APPOINTED MONITOR OF URBANCORP DOWNSVIEW PARK DEVELOPMENT INC. PURSUANT TO THE *COMPANIES' CREDITORS ARRANGMENT ACT* R.S.C. 1985, C. C-36. AS AMENDED, GUY GISSIN, IN HIS CAPACITY AS THE COURT APPOINTED FUNCTIONARY AND FOREIGN REPRESENTATIVE OF URBANCORP INC. BY ORDER OF THE DISTRICT COURT IN TEL AVIV-YAFO, ISRAEL

Respondents
(Moving Parties)

APPLICATION UNDER RULE 14.05(2) of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, and Section 46 of the *Arbitration Act 1991*, S.O. 1991, c. 17

**JOINT NOTICE OF ABANDONMENT
OF MOTION
FOR LEAVE TO APPEAL**

The court appointed monitor, KSV Restructuring Inc. (“**KSV**” or the “**Monitor**”), and Guy Gissin in his capacity as the Court appointed functionary and foreign representative of Urbancorp Inc. (the “**Foreign Representative**” and together with the Monitor the “**Moving Parties**”) abandons their motion for leave to appeal.

With the consent of the Responding Party, the abandonment shall be with prejudice and without costs.

October 18, 2023

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Between
MATTAMY (DOWNSVIEW) LIMITED
Applicant

-and-

KSV RESTRUCTURING INC. et al
Respondents

Court File No.CV-22-00688349-00CL

COURT OF APPEAL FOR ONTARIO

PROCEEDING COMMENCED AT
TORONTO

JOINT NOTICE OF ABANDONMENT

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