



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-23-00711612-00CL DATE: 23 January, 2024

NO. ON LIST: 1

TITLE OF PROCEEDING: **FIERA FP REAL ESTATE FINANCING FUND, L.P. v. VANDYK -
41 WABASH LIMITED et al**

BEFORE JUSTICE: **Mr. JUSTICE H. J. WILTON-
SIEGEL**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
Eric Golden	FIERA FP REAL ESTATE FINANCING FUND, L.P	egolden@blaney.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info

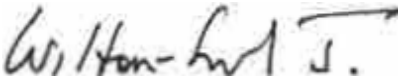
For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Dave Rosenblat	KSV Restructuring Inc	drosenblat@osler.com

ENDORSEMENT:

In respect of the Wabash property, the debtor has been served and does not oppose the order sought. Counsel for the applicant emailed a copy of the court’s Endorsement dated January 19, 2024 to the representative of the second mortgagee with whom he has been in communication who acknowledged receipt. Counsel has not heard from the second mortgagee since then and no one appears this morning.

The debtor, 2196251 Ontario Inc., is in default under various covenants in the commitment letter and mortgage given by it in favour of the applicant. Demand has been made in respect of the loan and there is no evidence of any prospect for a refinancing of the loan and mortgage. Accordingly, it is appropriate to appoint a receiver in respect of the assets of the borrower. Order to go in the form attached.



WILTON-SIEGEL J.

Date: January 23, 2024