

COURT OF APPEAL FOR ONTARIO

BEFORE: THE HONOURABLE JUSTICE
NORDHEIMER

DATE: TUESDAY, SEPTEMBER 27, 2022



COURT FILE NO.: COA-22-OM-0027

TITLE OF PROCEEDING: CASTILLO,
MARGARITA v. XELA ENTERPRISES LTD.
ET AL.

DISPOSITION OF COURT HEARING:

The moving party, Juan Gutierrez, seeks an extension of time to file his Notice of Appeal. The receiver, KSV Restructuring, does not oppose the motion. In any event, I am satisfied that the moving party always intended to appeal, that he has met the relatively low threshold for showing that there is some merit to the appeal, and there is no prejudice to the Receiver from granting the order.

An order is granted extending the time for the moving party to file his Notice of Appeal to Monday, October 3, 2022.

Given that the moving party is seeking an indulgence from the court, I would not make any order as to costs.

A handwritten signature in blue ink, appearing to read "Nordheimer J.A.", written in a cursive style.