

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER OF THE NOTICES OF INTENTION TO MAKE A PROPOSAL OF
YG LIMITED PARTNERSHIP AND YSL RESIDENCES INC.
OF THE CITY OF TORONTO, IN THE PROVINCE OF ONTARIO

**AIDE MEMOIRE OF THE PROPOSAL TRUSTEE,
KSV RESTRUCTURING INC.**

(Hearing before Justice Osborne on January 10, 2023)

January 9, 2023

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Lawyers for the Proposal Trustee,
KSV Restructuring Inc.

1. The Proposal Trustee, KSV Restructuring Inc. (“**KSV**”), delivers this aide memoire in respect of a case conference scheduled by the “YongeSL LPs” (being YongeSL Investment Limited Partnership, 2124093 Ontario Inc., SixOne Investment Ltd., E&B Investment Corporation, and TaiHe International Group Inc.) for the purposes of settling the form of an order in respect of, and asking that this Court make certain corrections to, its endorsement bearing citation YG Limited Partnership and YSL Residences Inc., 2022 ONSC 6548 (the “**Endorsement**”).

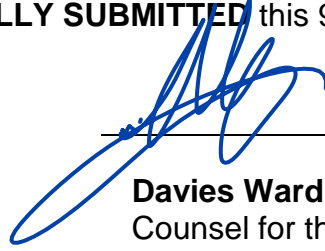
2. The hearing date of the underlying motion was September 26, 2022, not September 28 as stated in paragraph 4(b) of the Case Conference Brief of the YongeSL LPs dated January 6, 2023 (the “**YongeSL LPs Brief**”). Paragraph 3 of the YongeSL LPs Brief has the correct date as can be verified on CaseLines (Bundle 009).

3. Section 31(1) of the Bankruptcy and Insolvency General Rules (C.R.C., c. 368) states as follows:

31 (1) An appeal to a court of appeal referred to in subsection 183(2) of the Act must be made by filing a notice of appeal at the office of the registrar of the court appealed from, within 10 days after the day of the order or decision appealed from, or within such further time as a judge of the court of appeal stipulates.

4. Respectfully, the correct date of an endorsement is not when it is released as suggested by the YongeSL LPs at paragraph 8 of the YongeSL LPs Brief. The date of the endorsement (or “day of the decision appealed from”, or order, or judgment) is the day on which it is made. That should be an obvious plain language result. Rule 59.01 of the Rules of Civil Procedure (R.R.O. 1990, Reg. 194) confirms this: “An order is effective from the date on which it is made, unless it provides otherwise.”

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 9th day of January, 2023.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a horizontal line.

Davies Ward Phillips & Vineberg LLP
Counsel for the Proposal Trustee,
KSV Restructuring Inc.

IN THE MATTER OF THE NOTICES OF INTENTION TO MAKE A PROPOSAL OF YG LIMITED PARTNERSHIP AND YSL
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Court File No. BK-21-02734090-0031

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