

CWB MAXIUM FINANCIAL INC. and 1970636 ONTARIO LTD.
o/a MT. CROSS PHARMACY, et al.

Plaintiff

Defendants

Court File No: CV-18-597922-00CL

Motion Record

May 16/18

*served via email
on debtor company and two
principals (Mallat & Nassim).
Mr Mallat is aware of motion
but only 40 mins prior to hearing.
Has not been actively involved
with the business for approx. 3
months.*

**ONTARIO
SUPERIOR COURT OF JUSTICE
Commercial List**

Proceeding commenced at Toronto

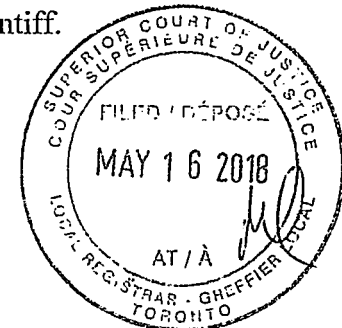
MOTION RECORD

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Solicitors for the Plaintiff.



*The above was represented to me by
counsel for applicant. I was frankly not
persuaded by the motion record to act
today given the urgency seems entirely due
to pressible acts of 3rd parties (landlord,
former technician, rival pharmacy) and
not the debtor or its principals /
guarantors. By way of late-breaking
news I have a supplementary affidavit
that indicates the "active" parties*

Mr Nassim has been detained and the RCMP is executing / has executed a warrant to search the Pharmacy. I am satisfied that there is grave danger and uncertainty regarding preservation and protection of Plaintiff's collateral such that further delay may cause undue prejudice. An interim Receiver is warranted in these circumstances. I expect a status report and a 9:30 appointment to settle next steps well before the 30 day clock runs out.

Draft order reviewed by me and signed (come-back reduced from 7 days to 3 days).

