



Court File No. CL-25-00753534-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE	)	MONDAY, THE 10 TH
	)	
JUSTICE CAVANAGH	)	DAY OF NOVEMBER, 2025

B E T W E E N:

THE TORONTO-DOMINION BANK
Applicant

and

**OCTANE EXPORTS INC., OCTANE EXPORTS USA INC., 1000318937 ONTARIO
INC., JOHN JUNIOR SAVU and CYNTHIA NICOLE SAVU**
Respondents

JUDGMENT

THIS APPLICATION made by the Applicant, The Toronto-Dominion Bank (“**TD**”), for judgment against the Respondents, Octane Exports Inc., Octane Exports USA Inc., 1000318937 Ontario Inc., John Junior Savu and Cynthia Nicole Savu, was heard this day at 330 University Avenue, Toronto, Ontario.

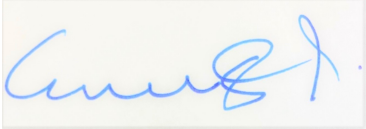
ON READING the Notice of Application issued October 15, 2025, the Affidavit of Ben Schu sworn October 24, 2025, the Factum of TD, and the proof of service of the Application Record and Factum on the Respondents, filed, and on hearing submissions of counsel for the Applicant and of the counsel for the Respondents,

1. **IT IS ORDERED AND ADJUDGED** that the Respondent, Octane Exports Inc., shall pay to the Applicant, TD, the sum of \$4,410,774.69, in connection with a Demand Facility as described in the Affidavit of Ben Schu sworn October 24, 2025.
2. **IT IS ORDERED AND ADJUDGED** that the Respondent, Octane Exports USA Inc., shall pay to the Applicant, TD, the sum of \$4,410,774.69 in connection with its unlimited guarantee of advances dated July 13, 2023 for the debts, liabilities and obligations of Octane Exports Inc.
3. **IT IS ORDERED AND ADJUDGED** that the Respondent, 1000318937 Ontario Inc., shall pay to the Applicant, TD, the sum of \$4,410,774.69 in connection with its unlimited guarantee of advances dated November 7, 2024 for the debts, liabilities and obligations of Octane Exports Inc.
4. **IT IS ORDERED AND ADJUDGED** that the Respondent, John Junior Savu, shall pay to the Applicant, TD, the sum of \$4,410,774.69 in connection with his unlimited guarantee of advances dated July 13, 2023 for the debts, liabilities and obligations of Octane Exports Inc.
5. **IT IS ORDERED AND ADJUDGED** that the Respondent, Cynthia Nicole Savu, shall pay to the Applicant, TD, the sum of \$4,410,774.69 in connection with her unlimited guarantee of advances dated July 13, 2023 for the debts, liabilities and obligations of Octane Exports Inc.

6. **IT IS ORDERED AND ADJUDGED** that the Respondents, Octane Exports Inc., Octane Exports USA Inc., 1000318937 Ontario Inc., John Junior Savu and Cynthia Nicole Savu, shall pay to the Applicant, TD, the sum of \$50,863.26 in respect of the legal and professional fees of Fogler, Rubinoff LLP and Gowling WLG (Canada) LLP incurred by TD.

THIS JUDGMENT BEARS INTEREST as follows:

- (a) On the judgment debt of \$4,410,774.69 as set out in paragraph 1 above, payable by the Respondent, Octane Exports Inc., to TD, at TD Prime Rate (4.70% per annum) plus 1.750% per annum from the date of judgment.
- (b) On the judgment debt of \$4,410,774.69 as set out in paragraphs 2, 3, 4 and 5 above, payable by the Respondent, Octane Exports USA Inc., to TD at TD Prime Rate (4.70% per annum) plus 1.750% per annum from the date of judgment, pursuant to section "7. Interest" of the Guarantees in Exhibit "E" of the Affidavit of Ben Schu sworn October 24, 2025.
- (c) On the costs of \$50,863.26 as set out in paragraph 6 above, payable by the Respondents, Octane Exports Inc., Octane Exports USA Inc., 1000318937 Ontario Inc., John Junior Savu and Cynthia Nicole Savu, to TD at the rate of 4.00% per annum, in accordance with section 129 of the Courts of Justice Act, R.S.O. 1990, c. C. 43, from the date of judgment.



THE TORONTO-DOMINION BANK
Applicant

-and- **OCTANE EXPORTS INC. et al.**
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PROCEEDING COMMENCED AT
TORONTO

JUDGMENT

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