

Court File No. CV-24-00088153-0000

ONTARIO  
SUPERIOR COURT OF JUSTICE

THE HONOURABLE ) MONDAY, THE 30<sup>TH</sup>  
JUSTICE VALENTE ) DAY OF MARCH, 2026

BETWEEN:



HOME TRUST COMPANY

Applicant

- and -

58 KING STREET EAST HAMILTON LTD. and 2238394 ONTARIO LTD.

Respondents

ORDER

THIS MOTION, made by msi Spergel Inc. in its capacity as the Court-appointed receiver ("**Spergel**" or the "**Receiver**") of all the assets, undertakings and properties of 58 King Street East Hamilton Ltd. ("**58 King**") and 2238394 Ontario Ltd. ("**2238**" and collectively, with 58 King, the "**Debtors**") for an order varying and/or rectifying the Approval and Vesting Order of Justice Edwards dated December 2, 2025 to correct errors in Schedule C of same and an order dispensing with service to the Service List with the exception of the Purchaser was heard Wednesday, March 18, 2026 at 45 Main Street East, Hamilton, Ontario.

ON READING the Notice of Motion, Affidavit of Gokcin Nalsok sworn January 30, 2026, Affidavit of Tanisha Lashley sworn January 30, 2026, Affidavit of Caitlyn Reid sworn February 13, 2026, Affidavit of Kapley Judge sworn January 12, 2026, the Factum of the Moving Party/Receiver, the Factum of the Responding Party/Purchaser and the Reply

Factum of the Moving Party/Receiver and on hearing the submissions of counsel for the Receiver and counsel for the Purchaser,

1. **THIS COURT ORDERS** that Schedule C to the Approval and Vesting Order of Justice Edwards dated December 2, 2025 be and is hereby amended to delete any reference to the following three instruments which instruments are to be reflected in Schedule D thereto:

- (a) Instrument No. WE1447724 – Notice from 2238394 Ontario Ltd. to the City of Hamilton registered on August 14, 2020.
- (b) Instrument No. WE1660191 – Notice from 2238394 Ontario Ltd. to the City of Hamilton registered on February 9, 2023.
- (c) Instrument No. WE1739020 – Metrolinx Notice registered on May 24, 2024.

2. **THIS COURT ORDERS** that the Approval and Vesting Order of Edwards J. dated December 2<sup>nd</sup>, 2025, as amended, is effective as at March 30<sup>th</sup>, 2026.

3. **THIS COURT ORDERS** that the Purchaser/Responding Party, Spuric Canadian Ventures Inc., shall pay the Receiver/Moving Party, msi Spergel Inc., its costs of the motion in the all-inclusive sum of \$10,000.00.

Issued and entered electronically by

Rhonda  
Margetts

Digitally signed by  
Rhonda Margetts  
Date: 2026.04.15  
13:59:25 -04'00'

Local Registrar  
45 Main St East  
Hamilton, ON  
L8N 2B7

"on behalf of Justice Valente"

HOME TRUST COMPANY  
Applicant

-and- 58 KING STREET EAST HAMILTON LTD. et al  
Respondent

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PROCEEDING COMMENCED AT HAMILTON

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**ORDER**

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