

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR. ) THURSDAY, THE 12<sup>TH</sup> DAY  
)  
JUSTICE SMITH ) OF FEBRUARY, 2026



**BANK OF MONTREAL**

Applicant

- and -

**ADVANTAGE MACHINE & TOOL INC.**

Respondent

**ORDER  
(Ancillary Order)**

**THIS MOTION**, made by msi Spergel Inc. in its capacity as the court-appointed receiver (in that capacity, "**Receiver**") of the assets, undertakings, and properties of Advantage Machine & Tool Inc. (the "**Company**"), appointed pursuant to the Order of Justice Smith dated July 24, 2025 (the "**Receivership Order**"), was heard this day via Zoom videoconference at Kitchener, Ontario.

**ON READING** the Motion Record of the Receiver dated February 3, 2026, including the first Report of the Receiver dated February 3, 2026 (the "**First Report**") and on hearing the submissions of counsel for the Receiver, and such other counsel

as were present and listed on the counsel slip, no one appearing for any other person on the service list, although properly served as appears from the affidavit of service of Julie Franchini, sworn February 3, 2026 and Laurie Marshall, sworn February 4, 2026, filed:

### **DEFINED TERMS**

1. **THIS COURT ORDERS** that all terms capitalized but not defined herein shall have the meanings ascribed to such terms in the First Report.

### **SERVICE**

2. **THIS COURT ORDERS** that the time for and method of service of the Notice of Motion and the Motion Record are hereby abridged and validated, as necessary, and hereby dispenses with further service thereof so that this motion is properly returnable today.

### **DISTRIBUTION**

3. **THIS COURT ORDERS** that the Receiver is authorized and directed to make the following distribution from the Real Property Transaction:

- (a) \$22,090.85 in respect of property taxes outstanding against the Real Property, plus any other accrued property taxes due and payable at the closing of the Real Property Transaction, to the Municipality of West Perth.

## **APPROVAL OF THE FIRST REPORT AND RECEIVER'S ACTIVITIES**

4. **THIS COURT ORDERS** that the First Report, and the actions, conduct and activities of the Receiver as set out therein, including but not limited to the Receiver's statement of receipts and disbursements appended thereto, be and are hereby approved; provided, however, that only the Receiver, in its personal capacity and only with respect to their own personal liability, shall be entitled to rely upon or utilize in any way such approval.

## **APPROVAL OF ACCOUNTS**

5. **THIS COURT ORDERS** that the professional fees (including disbursements and taxes) of the Receiver and its legal counsel, Miller Thomson LLP, as described in the fee affidavits of Trevor Pringle sworn January 12, 2026 and Tony Van Klink sworn January 22, 2026 are hereby approved.

## **SEALING**

6. **THIS COURT ORDERS** that the Confidential Appendices to the First Report are hereby sealed and shall not form part of the public record until the earlier of (a) the closing of both Transactions or (b) further Order of this Court.

## **GENERAL**

7. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States or any other foreign jurisdiction to give effect to this Order and to assist the

Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

8. **THIS COURT ORDERS** that the Receiver and the Purchaser be at liberty and are hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

9. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. prevailing Eastern Time on the date of this Order without any need for entry and filing.

February 12, 2026



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Signature of Judge

BANK OF MONTREAL

and

ADVANTAGE MACHINE & TOOL INC.

Court File No: CV-25-00001158-0000

Applicant

Respondent

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

**ORDER  
(Ancillary Order)**

**MILLER THOMSON LLP**

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capacity as court-appointed Receiver of  
Advantage Machine & Tool Inc.**