

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE)
JUSTICE)
HAINEX)

TUESDAY, THE 4TH DAY
OF DECEMBER, 2018

BETWEEN:



ROYAL BANK OF CANADA

Applicant

- and -

2236715 ONTARIO LIMITED
o/a LUXURY AND SPORTS CARS

Respondent

ANCILLARY ORDER

THIS MOTION, made by msi Spergel Inc., in its capacity as court appointed Receiver (in such capacities, the "**Receiver**"), without security, of all of the assets, undertakings and properties of 2236715 Ontario Limited o/a Luxury and Sports Cars (the "**Debtor**") appointed by Order of the Honourable Justice Dunphy dated August 3, 2018 (the "**Appointment Order**") for an Order for the following relief:

- a. An Order that the time for service, filing and confirmation of the Notice of Motion and the Motion Record be abridged so that this motion is properly returnable today and hereby dispenses with further service and confirmation hereof;
- b. An Order approving the Receiver's First Report to the Court dated November 26, 2018 (the "**First Report**") and the activities and conduct of the Receiver as detailed therein;

c. A Declaration that the following vehicles are included in the Property of the Debtor as defined in the Appointment Order:

- a. Mercedes-Benz M-Class 4JGDA2EB7FA452675;
- b. 2014 Mercedes-Benz CLS-Class Luxury Sedan WDDLJ9BB6EA094485;
- c. 2011 Porsche Panamera WP0AA2A76BL014785;
- d. 2016 BMW X3 5UXWX9C53G0D63101;
- e. 2014 BMW 5351 WBA5B3C57ED530245;
- f. 2014 Mercedes-Benz M-Class Luxury 4JGDA2EB1EA386851; and
- g. 2014 Audi S5 WAULGBFR7EA039791.

(collectively the “**Vehicles**”)

- d. An Order that the fees and disbursements of the Interim Receiver as detailed in the First Report (the “**Interim Receiver’s Fees**”) and payment of same be approved;
- e. An Order that the fees and disbursements of counsel to the Interim Receiver, Harrison Pensa LLP, as detailed in the First Report (the “**Interim Counsel Fees**”) and payment of same be approved.

was heard this day at the Court House, 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion dated November 26, 2018, the First Report of the Receiver dated November 26, 2018 with Appendices, and Affidavit of Service of Kelly Bryant, sworn November 27, 2018 and on hearing submissions from all counsel in attendance,

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and Motion Record be and are hereby abridged so that this motion is properly returnable today.
2. **THIS COURT ORDERS** that the First Report and the activities and conduct of the Receiver as detailed therein are hereby approved.
3. **THIS COURT DECLARES** that the Vehicles are hereby included in the Property of the Debtor as defined in the Appointment Order.
4. **THIS COURT ORDERS** that that the Interim Receiver's Fees and payment of same are hereby approved.
5. **THIS COURT ORDERS** that the Interim Counsel Fees and payment of same are hereby approved.


Justice, Ontario Superior Court of Justice
Commercial List

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PER / PAR: 

ROYAL BANK OF CANADA

v.

2236715 ONTARIO LIMITED o/a LUXURY AND SPORTS CARS

Applicant

Respondent

Court File No. CV-18-00600821-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ANCILLARY ORDER

Harrison Pensa ^{LLP}
Barristers and Solicitors
450 Talbot Street, 1st Floor
P.O. Box 3237
London, Ontario N6A 4K3

Timothy C. Hogan
LSUC #36553S

Tel: (519) 679-9660
Fax: (519) 667-3362

Solicitors for the Plaintiff
TCH/174869