

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE	)	MONDAY, THE 7 <sup>TH</sup>
	)	
JUSTICE KIMMEL	)	DAY OF JULY, 2025

B E T W E E N:

**PEAKHILL CAPITAL INC.**

Applicant

- and -

**METAMORE INC.**

Respondent

APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, c.B-3, AS AMENDED AND SECTION 101 OF *THE COURTS OF JUSTICE ACT*, R.S.O. 1990, C. C.43, AS AMENDED

**DISCHARGE ORDER**

THIS MOTION, made by the Respondent, Metamore Inc., in its capacity as Owner of the subject Property municipally known as 228 Dundas Street, Belleville, for an order *inter alia*:

1. approving the activities of the Receiver as set out in the report of the Receiver dated June 27, 2025 (the "Report");
2. approving the fees and disbursements of the Receiver and its counsel;
3. approving the distribution of the remaining proceeds available in the estate of the Debtor;

4. discharging msi Spergel Inc. as Receiver of the undertaking, property and assets of Metamore Inc.; and

5. releasing msi Spergel Inc. from any and all liability, as set out in paragraph 6 of this Order,

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

ON READING the Report, the affidavits of the Receiver and its counsel as to fees (the "Fee Affidavits"), the Affidavit of Wade Ennis, the principal of the Respondent Metamore Inc., and on hearing the submissions of counsel for Metamore and counsel for the Receiver, no one else appearing although served as evidenced by the Affidavit of Nicole Ferley sworn July 2, 2025, filed;

1. THIS COURT ORDERS that the time for service of the within Motion is hereby abridged.

2. THIS COURT ORDERS that the activities and conduct of the Receiver, as set out in the Report, are hereby approved; provided, however, that only the Receiver, in its personal capacity only with respect to its own liability, shall be entitled to rely upon or utilize in any way such approval.

3. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Report and the Fee Affidavits, are hereby approved.

4. THIS COURT ORDERS that, after payment of the fees and disbursements herein approved, the Receiver shall pay the monies remaining in its hands to the Respondent, Metamore Inc.

5. THIS COURT ORDERS that upon payment of the amounts set out in paragraphs 3 and 4 hereof and upon the Receiver filing a certificate certifying that it has completed the other activities described in the Report, the Receiver shall be discharged as Receiver of the

undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of msi Spergel Inc. in its capacity as Receiver.

6. THIS COURT ORDERS AND DECLARES that msi Spergel Inc. is hereby released and discharged from any and all liability that msi Spergel Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of msi Spergel Inc. while acting in its capacity as Receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, msi Spergel Inc. is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.

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PEAKHILL CAPITAL INC.

-and-

METAMORE INC.

Applicant

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***ONTARIO***  
SUPERIOR COURT OF JUSTICE  
  
PROCEEDING COMMENCED AT  
TORONTO

**DISCHARGE ORDER**

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