Court File No.: <u>CV-23-00705869-00CL</u>

COURT OF APPEAL FOR ONTARIO

BETWEEN:

TEN 4 SYSTEM LTD., 1000043321 ONTARIO INC. and 1000122550 ONTARIO INC.

Appellants

- and -

ROYAL BANK OF CANADA

Respondent

AMENDED APPELLANTS' CERTIFICATE

The Appellants certify that the following evidence is required for the appeal, in the Appellants' opinion:

- 1. The Appellants' Responding Record comprised of:
 - a) Affidavit of Nasir Mahmood, dated October 02, 2023.
- 2. The Supplemental Affidavit of Nasir Mahmood, dated October 10, 2023.
- 3. The Further Supplemental Affidavit of Nasir Mahmood, dated October 17, 2023.
- 4. The Affidavit of Abdul Wajid Ishaq, dated October 17, 2023.

- 5. The Respondent's Application Record comprised of:
 - a) Notice of Application, dated September 11, 2023; and
 - b) The Affidavit of Tro Derbedrossian, dated September 12, 2023.
- 6. The Reply Affidavit of Tro Derbedrossian, dated October 4, 2023.

October 23, 2023 November 2, 2023

M. SINGH LAW PROFESSIONAL CORPORATION

100 King Street West – Suite 5700 Toronto, Ontario M5X 1C7

Manjit Singh (LSO#55976D)

Tel: 647-722-8400

Email: MSingh@MSInghLaw.ca

Lawyers for the Appellants

TO:	BORDEN LADNER GERVAIS LLP
	Bay Adelaide Centre, East Tower
	22 Adelaide Street West
	Toronto, ON M5H 4E3
	Tel: 416-367-6000
	Fax: 416-367-6749
	Roger Jaipargas – LSO No. 43275C
	Tel: 416-367-6266
	Email: rjaipargas@blg.com
	Lawyers for the Respondent
	Lawyers for the respondent
AND TO:	msi Spergel Inc.
	200 Yorkland Blvd., Suite 1100
	Toronto, ON M2J 5C1
	Tel: 416-497-1660
	Fax: 416-498-4314
	Mukul Manchanda
	Tel: (416)- 498-4314
	mmanchanda@spergel.ca
	inmanenanda@sperger.ea
	Receiver
AND TO:	HADDISON DENISA LI D
AND TO.	HARRISON PENSA LLP
	130 Dufferin Avenue, Suite 1101 London, ON N6A 5R2
	Tel: (519) 679-9660
	Fax: (519) 667-3362
	rax. (319) 007-3302
	T
	Tim Hogan
	Tim Hogan Tel: (519) 661-6743
	S .
	Tel: (519) 661-6743
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400 Toronto ON M5H 1T1
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400 Toronto ON M5H 1T1 Ed Park
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400 Toronto ON M5H 1T1 Ed Park Tel: 647-256-7429 Fax: 416-973-0810 edward.park@justice.gc.ca
AND TO:	Tel: (519) 661-6743 thogan@harrisonpensa.com Lawyers for msi Spergel Inc., Receiver DEPARTMENT OF JUSTICE Ontario Regional Office 120 Adelaide Street West, Suite 400 Toronto ON M5H 1T1 Ed Park Tel: 647-256-7429 Fax: 416-973-0810

AND TO:	INSOLVENCY UNIT ONTARIO MINISTRY OF FINANCE
לואט וט.	33 King Street West, 6th Floor
	Oshawa, ON L1H 8H5
	Leslie Crawford
	Tel: 905.433.5657
	Leslie.Crawford@ontario.ca
	Insolvency Unit insolvency.unit@ontario.ca
	insorvency.unit@ontairo.ea
AND TO:	PRIDE FLEET SOLUTIONS INC.
	1450 Meyerside Dr., Suite 401
	Mississauga, ON L57 1A6
	6050 Dixie Road
	Mississauga, ON L5T 2N5
	Email: info@pridegroupenterprises.com
AND TO:	AXIOM LEASING INC.
	4 Robert Speck Parkway, 15 th Floor
	Mississauga, ON L4Z 1S1
	Email: admin@axiomleasing.com
AND TO:	MERCADO CAPITAL CORPORATION
	Suite 1900, 13450 102 Ave
	Surrey, BC V3T 5Y1
	Email: leasing@prospera.ca
AND TO:	TFG FINANCIAL CORPORATION
	400-4180 Lougheed Highway
	Burnaby, BC V5C 6A7
	Email: info@tfgfinancial.com
AND TO:	DAIMLER TRUCK FINANCIAL SERVICES CANADA
	CORPORATION
	2680 Matheson Blvd. E Ste 202
	Mississauga, ON L4W 0A5 Email: dtf@daimlertruck.com
	Linaii. <u>dtredaimiertrack.com</u>
AND TO:	BODKIN, A DIVISION OF BENNINGTON FINANCIAL
	CORP.
	102-1465 North Service Rd E
	Oakville, ON L6H 1A7
	Email: executiveoffice@benningtonfinancial.ca
AND TO:	TRINE LEACING CARITAL CORRORATION
AND TO:	TPINE LEASING CAPITAL CORPORATION 6050 Dixie Road
	Mississauga, ON L5T 1A6
	Email: credit@tpinecapital.com
L	1

Court File No.: CV-23-00705869-00CL

TEN 4 SYSTEM LTD. *et al.* **APPELLANTS**

-and- ROYAL BANK OF CANADA. **RESPONDENT**

ONTARIO COURT OF APPEAL

AMENDED APPELLANTS' CERTIFICATE

M. SINGH LAW PROFESSIONAL CORPORATION

100 King Street West – Suite 5700 Toronto, Ontario M5X 1C7

Manjit Singh (LSO# 55976D)

Email: MSingh@MSinghLaw.ca

Tel: 647.722.8400

Lawyers for the Appellants