



**SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

ENDORSEMENT

COURT FILE NO.: CV-23-00705869-00CL DATE: 25-MAR-2024

NO. ON LIST: 1

TITLE OF PROCEEDING: ROYAL BANK OF CANADA v. TEN 4 SYSTEM LTD. et al.

BEFORE: OSBORNE, J.

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Roger Jaipargas	ROYAL BANK OF CANADA	rjaipargas@blg.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Tim Hogan	The Receiver, MSI SPERGEL	thogan@harrisonpensa.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info

ENDORSEMENT OF JUSTICE OSBORNE:

[1] The Receiver seeks to schedule a motion for an order:

- a. directing the Principals of the Debtors, Nasir Mahmood and Rupinder Taggar, to produce and deliver to the Receiver the Records as defined in the receivership order made in this proceeding;
- b. authorizing the Receiver to disclaim the Lease between the Debtor and Northwest Carrier Ltd., Relating to the property located in Ayr, Ontario; and
- c. authorizing the sale process for the sale of the Real Property.

[2] Both the Receiver and RBC, the Applicant, are represented in Court today. No one has appeared by or on behalf of the Respondents, each of which is a corporation. They are represented in this proceeding by Mr. Singh.

[3] The motion will proceed on **Wednesday, April 24, 2024 commencing at 10 AM via Zoom**. Moving party motion materials will be served no later than April 5, 2024. Responding motion materials, if any, will be served no later than April 17, 2024.

[4] Counsel for the Receiver advises that he received email correspondence from Mr. Singh, counsel for the Respondents apparently advising that he was no longer acting for the Respondents in this matter. No Notice of Change of Solicitor appears to have been served or filed. Mr. Singh has not brought a motion to be removed as solicitor of record and the Respondents are corporations. No leave has been sought for those corporations to be unrepresented.

[5] Accordingly, Mr. Singh remains counsel for the Respondents and I have directed that the Receiver serve him as well as the Respondents directly via email with the motion materials, this Endorsement and advise him of the return date for these motions. Counsel will also serve the respondents personally via email to the email address on file with RBC as part of the loan documentation used for Mr. Mahmood as well.

[6] Finally, counsel advised that Mr. Ullmann is representing the principals of the Respondents, including Mr. Mahmood and Ms Taggar, in an action commenced by RBC on the personal guarantees by those principals of the corporations whose indebtedness is the subject of this receivership. As an additional courtesy, and while acknowledging and recognizing that Mr. Ullmann is not counsel in this matter, I have requested counsel for the Receiver to provide him with a courtesy copy of the above-noted materials as well.

[7] The Respondents should understand that the motion will proceed as scheduled on April 24, 2024.



Date: March 25, 2024

