

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

B E T W E E N:

ROYAL BANK OF CANADA

Applicant

- and -

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

Respondents

**IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION
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**

SUPPLEMENTAL AFFIDAVIT OF NASIR MAHMOOD

I, Nasir Mahmood, of the City of Toronto, in the Province of Ontario, **MAKE OATH AND**

SAY:

1. I am the Director of the Respondent corporations and as such, I have knowledge of the matters to which I hereinafter depose. Where my knowledge is based on information and belief, I have identified the source of such knowledge and I verily believe such information to be true.
2. I make this my Affidavit supplemental to my previous Affidavit in this matter, sworn October 2nd, 2023, in response to the Applicant's Reply Affidavit of Tro Derbedrossian, sworn October 4, 2023.

3. Ten 4 System Ltd.'s (hereinafter "**Ten 4**") May 2023 report was uploaded to the Applicant's (hereinafter "**RBC**") online portal on May 31, 2023. Attached hereto and marked as **Exhibit "A"** is a true copy of a screenshot showing the May 2023 report uploaded to RBC's Coverity Board.
4. Ten 4's accountant was out of the country between July and September for vacation. Consequently, Ten 4 could not provide its August and September reports to RBC. In fact, RBC was notified of our accountant's unavailability, via email. Attached hereto and marked as **Exhibit "B"** is a true copy of my email to Raman Gill of RBC, dated August 14, 2023.
5. It was because the 51 cheques provided by Northwest Carrier Ltd. (hereinafter "**Northwest**") to Ten 4 were returned due to insufficient funds that Northwest provided further cheques amounting to \$1,989,360, as referenced in my previous Affidavit (though incorrectly stated therein to be \$1,100,000), to partially cover those missing payments.
6. Ten 4 did not deposit the partial payment of \$720,840.57 draft from Northwest into Ten 4's RBC account because I had understood that account to have been frozen by RBC. As a consequence, Ten 4 deposited the draft into its Bank of Montreal (hereinafter "**BMO**") account. Attached hereto and marked as **Exhibit "C"** is a true copy of Ten 4's BMO account statement (appropriately redacted) confirming deposit of the \$720,840.57 on August 30, 2023.
7. Evidence of the payment of property taxes made by the Respondents 1000043321 Ontario Inc. and 1000122550 Ontario Inc. has already been provided in my previous Affidavit. Unfortunately, I am unable to provide the Certificate of Certified Tax from the township because this information has not been updated by the administration of the township. Notwithstanding the foregoing, I verily believe that both named Respondents are up-to-date on their property taxes.

8. I can confirm that as of September 30, 2023 the Ten 4 has total Accounts Receivable of \$ [REDACTED] Canadian dollars. Attached hereto and marked as **Exhibit "D"** is a true copy of the A/R Aging Summary of Ten 4, dated September 30, 2023.
9. Finally, the property owned by the Respondents 1000043321 Ontario Inc. and 1000122550 Ontario Inc. (hereinafter the "Property") is currently valued at \$ [REDACTED] Attached hereto and marked as **Exhibit "E"** is a true copy of the Appraisal Report of the Property by Cushman & Wakefield ULC, dated October 10, 2023.
10. I make this Affidavit in response to the Applicant's Application to Appoint a Receiver and for no other or improper purpose.

**REMOTELY AFFIRMED BEFORE
ME** at the City of Richmond Hill, in the
Province of Ontario on October 10,
2023.



Commissioner for Taking Affidavits
ADAM ASGARALI
(LSO #70518H)

}



NASIR MAHMOOD

This is Exhibit "A" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI



Ten 4 System Ltd.

May 31, 2023

✓ Published

Published on Jun 20, 2023

Completed Form - Borrowing Limit Certificate ✓

Documents Uploaded ✓

Listing of Liable A/P due to parties protected by deemedTL ✓

Details ▲

- By: NASIR MAHMOOD
- On: Jun 13, 2023 at 10:49 a.m. ET
- File: Owner Operator May 2023.xlsx
- Originally Due: Jun 30, 2023

If you would like to make a correction to this submitted item, please contact your Compliance Officer, or contact us at [1-877-502-3101](tel:1-877-502-3101) or at rbc.conformite.compliance@rbc.com.

Listing of Potential Prior Ranking Claims ✓

Details ▼

Payables Listing - CAD ✓

Details ▼

Receivables Listing - CAD ✓

Details ▼

This is Exhibit "B" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

Re: Ten 4 System Ltd.: Submission Due By Aug 14/2023

NASIR MAHMOOD <nasirmahmood@ten4system.com>

Mon 8/14/2023 7:41 AM

To: raman.gill@rbc.com <raman.gill@rbc.com>

Hi Raman,

I have talked to my accountant and he said we are getting to it as our accountant is out of the country, he did say right when he gets back we will get it done.

Kind Regards,
Nasir Mahmood

Sent from my iPhone

On Aug 12, 2023, at 12:00 AM, Raman Gill <auto-support@covarity.com> wrote:

NASIR,

To prepare us for your upcoming review, we require a set of financial reports from your business as outlined in your credit/loan agreement, which may be amended from time to time.

For this purpose, we are requesting the following reports from you:

In House F/S for Jun 30/2023, due by Aug 14/2023.

Our records show you will be uploading all of these requested reports through the RBC Covarity Dashboard.

Visit rbc.covarity.net and you will be taken to the Secure sign-in page. Once you are in the RBC Covarity Dashboard you can electronically submit your financial reports.

If you have any questions please do not hesitate to call us at 1-877-502-3101 or email us at rbc.conformite.compliance@rbc.com for assistance.

Sincerely,

Raman Gill
RBC
Phone: 999-999-9999
raman.gill@rbc.com

Confidentiality Warning: This message or any attachments are only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system.

This is Exhibit "C" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

Business Banking



TEN 4 SYSTEM LTD.
584 REMEMBRANCE RD
BRAMPTON ON L7A 4N2

For questions about your statement call
(905) 495-4340

Direct Banking
1-877-262-5907
www.bmo.com

Your Plan
Business Builder 1 Plan

Business Banking statement

For the period ending August 31, 2023

Summary of account

Account	Opening balance (\$)	Total amounts debited (\$)	Total amounts credited (\$)	Closing balance (\$) on Aug 31, 2023
[REDACTED]	779.63	57,409.19	777,438.10	720,808.54

Security Tip

Vacation pictures ready for posting on social media? Maybe reconsider. Sharing too much information on social media may provide clues to cybercriminals to access your accounts. Visit bmo.com/security - Security Tips section for more resources on how to stay protected.

Transaction details

Date	Description	Amounts debited from your account (\$)	Amounts credited to your account (\$)	Balance (\$)
Aug 01	Opening balance			779.63
Aug 01	Transfer, 3629-8866-548 3587	844.00		-64.37
Aug 02	Transfer, 3858-1971-289 3587		65.00	0.63
Aug 03	Transfer, 3858-1979-563 3587		5,000.00	5,000.63
Aug 03	Cheque Processed By Branch, NO. 3629	5,000.00		0.63
Aug 04	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	1,230.73		-1,230.10
Aug 04	Transfer, 3858-1971-289 3587		1,231.00	0.90
Aug 04	Cheque, NO.21	5,000.00		-4,999.10
Aug 04	Pre-Authorized Payment, VAULT RLS/LOY	891.69		-5,890.79
Aug 04	Cheque Returned NSF, NO. 21		5,000.00	-890.79
Aug 04	Non Sufficient Funds Fee	48.00		-938.79
Aug 04	Cheque Returned NSF		891.69	-47.10

continued



Transaction details (continued)

Date	Description	Amounts debited from your account (\$)	Amounts credited to your account (\$)	Balance (\$)
				(continued)
Aug 04	Returned Item Fee	48.00		-95.10
Aug 08	Transfer, 3858-1973-620 3587		5,892.00	5,796.90
Aug 08	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	360.91		5,435.99
Aug 08	Transfer, 3858-1979-563 3587	5,435.00		0.99
Aug 14	Pre-Authorized Payment No Fee, CASH MGMT FEE BOM/B/M	8.25		-7.26
Aug 14	Cheque, NO.19	2,260.00		-2,267.26
Aug 14	Cheque Returned NSF, NO. 19		2,260.00	-7.26
Aug 14	Non Sufficient Funds Fee	48.00		-55.26
Aug 14	Cheque Returned NSF		8.25	-47.01
Aug 14	Returned Item Fee	48.00		-95.01
Aug 15	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	3,196.66		-3,291.67
Aug 15	INTERAC e-Transfer Received		3,000.00	-291.67
Aug 15	INTERAC e-Transfer Received		3,000.00	2,708.33
Aug 15	INTERAC e-Transfer Received		3,000.00	5,708.33
Aug 15	US \$ Transfer, USD TFR 4777-336, AT1.3889 HC \$0.00, 1706.39	2,370.01		3,338.32
Aug 15	US \$ Transfer, USD TFR 4777-336, AT1.3889 HC \$0.00, 665.00	923.62		2,414.70
Aug 15	INTERAC e-Transfer Sent	2,400.00		14.70
Aug 15	Pre-Authorized Payment, TFG RLS/LOY	4,945.59		-4,930.89
Aug 15	Cheque Returned NSF		4,945.59	14.70
Aug 15	Returned Item Fee	48.00		-33.30
Aug 18	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	2,323.45		-2,356.75
Aug 18	Pre-Authorized Payment, IND ALL LIFE IN INS/ASS	3,977.10		-6,333.85
Aug 18	Transfer, 3629-1972-583 3587		6,335.00	1.15
Aug 22	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	916.54		-915.39
Aug 22	INTERAC e-Transfer Received		3,000.00	2,084.61
Aug 22	INTERAC e-Transfer Received		3,000.00	5,084.61
Aug 22	INTERAC e-Transfer Received		600.00	5,684.61
Aug 22	US \$ Transfer, USD TFR 4777-336, AT1.3953 HC \$0.00, 2381.00	3,322.21		2,362.40
Aug 22	Transfer, 3629-1972-583 3587	2,360.00		2.40
Aug 25	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	2,187.84		-2,185.44
Aug 25	Transfer, 3858-1971-289 3587		5,540.00	3,354.56
Aug 25	US \$ Transfer, USD TFR 4777-336, AT1.4015 HC \$0.00, 2393.15	3,354.00		0.56
Aug 25	INTERAC e-Transfer Received		1,185.00	1,185.56
Aug 25	US \$ Transfer, USD TFR 4777-336, AT1.4016 HC \$0.00, 838.00	1,174.54		11.02
Aug 29	Pre-Authorized Payment, PRIDE FLEET SOL BUS/ENT	2,654.18		-2,643.16
Aug 29	Transfer, 3629-1972-583 3587		644.00	-1,999.16
Aug 29	INTERAC e-Transfer Received		500.00	-1,499.16

continued

Business Banking statement

TEN 4 SYSTEM LTD.
For the period ending August 31, 2023

Business Banking



Transaction details (continued)

Date	Description	Amounts debited from your account (\$)	Amounts credited to your account (\$)	Balance (\$)
				(continued)
Aug 29	INTERAC e-Transfer Received		500.00	-999.16
Aug 29	INTERAC e-Transfer Received		500.00	-499.16
Aug 29	INTERAC e-Transfer Received		500.00	0.84
Aug 30	Deposit		720,840.57	720,841.41
Aug 31	Plan Fee	22.50		720,818.91
Aug 31	Interest Paid	0.37		720,818.54
Aug 31	Overdraft Per Item Charge	10.00		720,808.54
Aug 31	Closing totals	57,409.19	777,438.10	

Number of items processed 31..... 24

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Did you know that you can access your BMO® bank account statements securely from anywhere, at any time? Check out our eStatement options at bmo.com/estatemnts.

To view your eStatements you must be registered for Digital Banking or Online Banking for Business (OLBB).

This is Exhibit "D" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

This is Exhibit "E" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

This is Exhibit "F" referred to in the Affidavit of
Nasir Mahmood, sworn October 10, 2023.



Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI



Active Profile: 1000043321 ONTARIO INC. (C)

[Find Profile](#) | [Add Profile](#) | [Organizer](#) | [Hide](#)

Account Details

[Clear Client Profile](#)

View Details For: [REDACTED] [Go](#)

* Required Information

Details for Demand [REDACTED]

Details

Current Details

Balance: \$4,230,421.00
Original Proceeds: \$4,244,570.00
Original Amortization: 20 years 0 months

Interest Details

Rate: 5.81%
Term: 4 years 0 months
Rule: Fixed (Non-Personal)
Method: Blended

Payment Details

Principal and Interest: 29,951.95
Insurance: \$0.00
Total Regular Payment: \$29,951.95
Frequency: Monthly
Account: [REDACTED]
Due Date: Aug 22, 2023

Account Details

Opened: Dec 22, 2022
Short Name: 1000043321 ONTA
Account Manager: 837
Status: Non-Accrual
RFA Exist: No

Delinquency

Insured Clients

Number of Insured: 0

Cost Per \$1,000:

Insured: 000000000
Date of Birth: Dec 21, 2022
Life Coverage: Ineligible
Effective Date: Dec 22, 2022
ISC Status:
Effective Date:

Other Insured:
Date of Birth:
Life Coverage:
Effective Date:
ISC Status:
Effective Date:

Insured Clients

Critical Illness Coverage: Ineligible
Effective Date: Dec 22, 2022
ISC Status:
Effective Date:

Critical Illness Coverage:
Effective Date:
ISC Status:
Effective Date:

Disability Coverage:
Effective Date:
ISC Status:
Effective Date:

Disability Coverage:
Effective Date:
ISC Status:
Effective Date:

Comments

Description:
 (appears on statements and tax information slips)

Comments:

Account Mailing Address

* **Same as Primary Owner Client Mailing Address**
 Changing the mailing address may affect the display and delivery of the account statement.

Owners / Authorities

Client Number	Name	Relationship
<input type="text"/>	<u>1000043321 ONTARIO INC.</u>	Primary Owner

Reset

Save



Active Profile: 1000122550 ONTARIO INC. (C)

Find Profile | Add Profile | Organizer | Hide

Account Details

[Clear Client Profile](#)

View Details For: [REDACTED] Go

* Required Information

Details for Demand 07512 - 70350013 - 001

Details

Current Details

Balance: \$5,337,578.02
Original Proceeds: \$5,355,430.00
Original Amortization: 20 years 0 months

Interest Details

Rate: 5.81%
Term: 4 years 0 months
Rule: Fixed (Non-Personal)
Method: Blended

Account:

Date:

Frequency:

Payment Details

Principal and Interest: 37,790.77
Insurance: \$0.00
Total Regular Payment: \$37,790.77
Frequency: Monthly
Account: [REDACTED]
Due Date: Aug 22, 2023

Account Details

Opened: Dec 22, 2022
Short Name: 1000122550 ONTA
Account Manager: [REDACTED]
Status: Non-Accrual
RFA Exist: No

Delinquency

Insured Clients

Number of Insured: 0

Cost Per \$1,000:

Insured: 000000000
Date of Birth: Dec 21, 2022
Life Coverage: Ineligible
Effective Date: Dec 22, 2022
ISC Status:
Effective Date:

Other Insured:
Date of Birth:
Life Coverage:
Effective Date:
ISC Status:
Effective Date:

Insured Clients

Critical Illness Coverage:

Ineligible
Dec 22, 2022

Effective Date:

ISC Status:

Effective Date:

Critical Illness Coverage:

Effective Date:

ISC Status:

Effective Date:

Disability Coverage:

Effective Date:

ISC Status:

Effective Date:

Disability Coverage:

Effective Date:

ISC Status:

Effective Date:

Comments

Description:

(appears on statements and tax information slips)

Comments:

Account Mailing Address

* **Same as Primary Owner Client Mailing Address**

Changing the mailing address may affect the display and delivery of the account statement.

Owners / Authorities

Client Number

270287733

Name

1000122550 ONTARIO INC.

Relationship

Primary Owner

Reset

Save

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IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 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

ROYAL BANK OF CANADA

- and -

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

Applicant

Respondents

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

PROCEEDING COMMENCED AT TORONTO

SUPPLEMENTAL AFFIDAVIT OF NASIR MAHMOOD
(sworn October 10, 2023)

M. SINGH LAW
PROFESSIONAL CORPORATION

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

Manjit Singh (LSO# 55976D)

Email: MSingh@MSinghLaw.ca
Tel: 647.722.8400

Lawyers for the Respondents