

**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**

RESPONDING RECORD

October 2, 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

TO: BORDEN LADNER GERVAIS LLP

Bay Adelaide Centre, East Tower
22 Adelaide St W
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Tel: 416-367-6000
Fax: 416-367-6749

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Lawyers for the Applicant

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Tab 1

**ONTARIO
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BETWEEN:

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Applicant

- and -

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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**

AFFIDAVIT OF NASIR MAHMOOD

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

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. The Respondent Ten 4 Systems Ltd. (hereinafter “**Ten 4**”) operates within the shipping, transportation, and/or logistics industry and depends upon regular and timely payments from its various Vendors in order to be able to satisfy its own debt obligations, including those to the Applicant.
3. One of Ten 4’s primary Vendors is Northwest Carrier Ltd. (hereinafter “Northwest”). Northwest’s payments for the services provided to it by Ten 4 are regularly facilitated through direct contact with its Director, Anoop Mokha (hereinafter “**Mokha**”).
4. Mokha was supposed to remit payment on behalf of Northwest for carrier-related services to Ten 4 in the amount of \$1,100,000 CAD, which he purported to do via cheques dated August 4, 2023 and August 8, 2023 (the “**Cheques**”). Attached hereto and marked as **Exhibit “A”** are true copies of the cheques, dated August 4, 2023 and August 8, 2023.
5. Accordingly, Ten 4 deposited the **Cheques** into its RBC account in good faith and under the impression that there were sufficient funds in Northwest’s originating account to satisfy the deposit of the **Cheques**.
6. At no time did Mokha or anyone from or on behalf of Northwest inform Ten 4, myself or anyone on behalf of Ten 4 that Northwest’s originating account did not have sufficient funds to satisfy the **Cheques**.
7. Unfortunately, the **Cheques** were subsequently returned due to non-sufficient funds.
8. The return of the **Cheques** due to non-sufficient funds was the Triggering Event that led the Applicants to demand repayment of debt obligations from the Respondents.

9. The Triggering Event, namely the return of the **Cheques** due to non-sufficient funds in the third party's (viz., Northwest's) bank account, was entirely outside of the control, knowledge, and/or foresight of the Respondents.
10. Upon learning that the **Cheques** were returned due to non-sufficient funds, Ten 4 promptly communicated this issue to Mokha and Northwest. Attached hereto and marked as **Exhibit "B"** are true copies of email correspondences between Ten 4 and Northwest.
11. After the release of funds from Northwest's bank to Northwest, the latter remitted partial payment of \$720,840.57 CAD to Ten 4 via certified cheque. Thus, Northwest still owes \$379,159.43 CAD to Ten 4. Attached hereto and marked as **Exhibit "C"** is a true copy of the certified cheque of NorthWest, dated August 29, 2023.
12. The Respondents have not, nor are in the process of endangering, selling, transferring and/or dissipating any of their property and/or assets.
13. The Applicant alleges that Ten 4's business-related credit account being overdrawn has caused them to initiate these proceedings. However, the Applicant knew or ought to have known that Ten 4 had overdrawn its business-related credit account prior to the Triggering Event.
14. The Applicant also alleges that the Respondents 1000043321 Ontario Inc. and 1000122550 Ontario Inc. failed to remit property taxes owing on the property owned by them and municipally address as 2396 Cedar Creek Road, Ayr, Ontario, Canada (the "Property"). The property taxes on the Property are paid and are up-to-date. Attached hereto and marked as **Exhibit "D"** are true copies of the Property Tax Bills and Proof of Payments, dated July September 13, 2023.

15. Additionally, the Applicants insinuate that the Respondents 1000043321 Ontario Inc. and 1000122550 Ontario Inc. failed to pay “*principal, interest or other amounts*” which I presume refers to the mortgages the Applicant has registered against the Property (though the Applicant does not clarify). What the Applicant also fails to mention is that it had frozen the Respondents’ bank accounts and thus the Respondents were unable to make our mortgage payments on time. In fact, I had to ask the Respondents’ lawyer to ask the Applicant’s lawyer to allow the mortgage payments to be made – once it was clarified via said communication between the lawyers that the accounts would allow the mortgage payments to be made, the payments were made and I verily believe the mortgage is up-to-date. Attached hereto and marked as **Exhibit "E"** is a true copy of Proof of Mortgage Payments, dated September 13, 2023.
16. Finally, the Respondents are currently in the process of removing a total charge of \$6,000,000 Canadian dollars that was erroneously registered by a non-party against, and hence is wrongfully encumbering, the Property. Attached hereto and marked as **Exhibit "F"** is a true copy of the Notice of Application against Pride Truck Sales Ltd., dated October 2, 2023.
17. 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 2, 2023.

Adam Asgarali

Commissioner for Taking Affidavits

**ADAM
ASGARALI
(LSO #70518H)**

Nasir
02/10/23

NASIR MAHMOOD

This is Exhibit “A” referred to in the Affidavit of Nasir
Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI



TO CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT. L4T 0B3
U.S. DOLLARS ACCOUNT

1604

08/08/2023

PAY TWENTY EIGHT THOUSAND NINE HUNDRED DOLLAR \$ 28,900.00

U.S. FUNDS

TO THE ORDER OF TEN 4 SYSTEM LTD

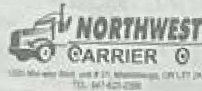
F45334, F45338, F45341



NORTHWEST CARRIER LTD.

PER *Arash Jigh*

⑈0001604⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TO CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT. L4T 0B3
U.S. DOLLARS ACCOUNT

1610

08/08/2023

PAY EIGHT THOUSAND FOUR HUNDRED TEN DOLLAR \$ 8,410.00

U.S. FUNDS

TO THE ORDER OF TEN 4 SYSTEM LTD

F45344



NORTHWEST CARRIER LTD.

PER *Arash Jigh*

⑈0001610⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TO CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT. L4T 0B3
U.S. DOLLARS ACCOUNT

1605

08/08/2023

PAY THIRTY FOUR THOUSAND FIVE HUNDRED DOLLAR \$ 34,500.00

U.S. FUNDS

TO THE ORDER OF TEN 4 SYSTEM LTD

F45319, F45323, F45331



NORTHWEST CARRIER LTD.

PER *Arash Jigh*

⑈0001605⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TO CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT. L4T 0B3
U.S. DOLLARS ACCOUNT

1606

08/08/2023

PAY THIRTY EIGHT THOUSAND TWO HUNDRED DOLLAR \$ 38,200.00

U.S. FUNDS

TO THE ORDER OF TEN 4 SYSTEM LTD

F45311, F45313, F45316



NORTHWEST CARRIER LTD.

PER *Arash Jigh*

⑈0001606⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TD CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT L4T 0B5
U.S. DOLLARS ACCOUNT

1564

04/08/2023

PAY *Thirty five thousand four hundred dollars.*

\$ 35400.00

TO THE ORDER OF *Ten 4 System Ltd.*

U.S. FUNDS

NORTHWEST CARRIER LTD.

Inv # F746, F749, F750



PER *Anoop Singh*

⑈0001564⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TD CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT L4T 0B5
U.S. DOLLARS ACCOUNT

1563

04/08/2023

PAY *Forty two thousand One hundred eighty dollars.*

\$ 42180.00

TO THE ORDER OF *Ten 4 System Ltd.*

U.S. FUNDS

NORTHWEST CARRIER LTD.

Inv # F740, F742, F743



PER *Anoop Singh*

⑈0001563⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45



TD CANADA TRUST
7225 GOREWAY DR., BUILDING G
MISSISSAUGA, ONT L4T 0B5
U.S. DOLLARS ACCOUNT

1565

04/08/2023

PAY *Twenty two thousand five hundred dollars.*

\$ 22500.00

TO THE ORDER OF *Ten 4 System Ltd.*

U.S. FUNDS

NORTHWEST CARRIER LTD.

Inv # F753, F756



PER *Anoop Singh*

⑈0001565⑈ ⑆18622⑈004⑆ 0697⑈7305695⑈ 45

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3134

04/08/2023

PAY Eighty six thousand nine hundred twenty dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F638, F639, F641, F643, F646, F647

\$ 86920.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3134

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3145

04/08/2023

PAY Twenty five thousand two hundred dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F732, F734

\$ 25200.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3145

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3137

04/08/2023

PAY One hundred twenty six thousand seven hundred thirty dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT F3603, F3607, F3608, F3611, F3613, F3614

\$ 126730.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3137

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3142

04/08/2023

PAY Forty eight thousand four hundred ninety five dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F711, F713, F716

\$ 48595.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3142

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3148

04/08/2023

PAY Eleven thousand five hundred dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F736, F738

\$ 11500.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3148

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3141

04/08/2023

PAY Fifty two thousand nine hundred seventy dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F699, F701, F705, F707

\$ 52970.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3141

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3130

04/08/2023

PAY Sixty thousand three hundred fifty dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F683, F684, F685, F686, F687

\$ 60350.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3130

NORTHWEST CARRIER LTD
7895 Transome Dr. Unit 10
Mississauga, ON L5T 1V9

3131

04/08/2023

PAY Sixty five thousand four hundred thirty dollars.
TO THE ORDER OF Ten 4 System Ltd.

INVT # F669, F673, F678, F679, F681

\$ 65430.00

PER Anoop Singh

Canada Trust
7233 Sheppard Ave. East, Suite 100
Mississauga, ON L4T 1R6

0697 527 70 21

3131

3132

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Seventy Nine Thousand Seven hundred forty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 669, F662, F664, F665, F668

PER Anoop Singh

\$ 76,740.00

04/08/2023

\$ 76,740.00

NORTHWEST CARRIER LTD

3144

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Twenty nine thousand One hundred twenty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 723, F 728, F 730

PER Anoop Singh

\$ 29,120.00

04/08/2023

\$ 29,120.00

NORTHWEST CARRIER LTD

3140

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Fifty three thousand two hundred eighty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 689, F 688, F 693, F 695

PER Anoop Singh

\$ 53,280.00

04/08/2023

\$ 53,280.00

NORTHWEST CARRIER LTD

3133

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Eighty thousand One hundred fifty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 649, F 651, F 653, F 654, F 655, F 659

PER Anoop Singh

\$ 80,150.00

04/08/2023

\$ 80,150.00

NORTHWEST CARRIER LTD

3143

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Thirty Seven thousand nine hundred dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 717, F 718, F 720

PER Anoop Singh

\$ 37,900.00

04/08/2023

\$ 37,900.00

NORTHWEST CARRIER LTD

3135

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Ninety thousand Six hundred fifty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 3626, F 3628, F 629, F 631, F 635

PER Anoop Singh

\$ 90,650.00

04/08/2023

\$ 90,650.00

NORTHWEST CARRIER LTD

3136

Canada Trust
7725 Gateway Drive, Suite 50
Mississauga, ON L5T 1V9

04/08/2023

PAY Ninety Seven thousand One hundred sixty dollars.

TO THE ORDER OF
Ten 4 System Ltd.

INVOICE # F 3616, F 3619, F 3621, F 3622, F 3623

PER Anoop Singh

\$ 97,160.00

04/08/2023

\$ 97,160.00

NORTHWEST CARRIER LTD

3164
08/08/2023
77850.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY SEVENTY SEVEN THOUSAND EIGHT HUNDRED FIFTY DOLLAR

TO THE ORDER OF TEN 4 SYSTEM LTD

F3906, F3908, F3909, F3911, F3914

PER *David Juhn*

1862200041 06975271702

3163
08/08/2023
10,190.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY SEVENTY THOUSAND ONE HUNDRED NINETY DOLLAR

TO THE ORDER OF TEN 4 SYSTEM LTD

F3918, F3926, F3930, F3941

PER *David Juhn*

1862200041 06975271702

3173
08/08/2023
40580.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY FORTY THOUSAND FIVE HUNDRED EIGHTY ONLY

TO THE ORDER OF TEN 4 SYSTEM LTD

F3999, F4003, F4004, F4006

PER *David Juhn*

1862200041 06975271702

3171
08/08/2023
37880.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY THIRTY SEVEN THOUSAND EIGHT HUNDRED EIGHTY ONLY

TO THE ORDER OF TEN 4 SYSTEM LTD

F4009, F4013, F4015

PER *David Juhn*

1862200041 06975271702

3161
08/08/2023
66830.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY SIXTY SIX THOUSAND EIGHT HUNDRED THIRTY DOLLAR

TO THE ORDER OF TEN 4 SYSTEM LTD

F3944, F3946, F3947, F3949, F3953

PER *David Juhn*

1862200041 06975271702

3159
08/08/2023
56960.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY FIFTY SIX THOUSAND NINE HUNDRED SIXTY DOLLAR

TO THE ORDER OF TEN 4 SYSTEM LTD

F3971, F3973, F3974, F3976

PER *David Juhn*

1862200041 06975271702

3156
08/08/2023
47100.00

Canada Trust
7225 Goreway Drive Building G
Mississauga, ON L4T 1B8

NORTHWEST CARRIER LTD
7895 Tremaine Dr. Unit 10
Mississauga, ON L5T 1V9

PAY FORTY SEVEN THOUSAND ONE HUNDRED ONLY

TO THE ORDER OF TEN 4 SYSTEM LTD

F3978, F3981, F3985, F3991

PER *David Juhn*

1862200041 06975271702

This is Exhibit “B” referred to in the Affidavit of
Nasir Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

From: accounts@northwestcarrier.ca <accounts@northwestcarrier.ca>
Sent: Aug 9, 2023, 1:50 PM
To: Ten 4 system Ltd <accounts@ten4system.com>
Cc: 'Anoop Mokha ' <anoop@northwestcarrier.ca>
Subject: RE: CHEQUE BOUNCE

Please be advised that we are working on the cheques reported bounced. We are checking with our bank. Please hold tight.

Regards,
Accounts.
Northwest Carrier Ltd
Contact:905-798-3808

From: Ten 4 system Ltd <accounts@ten4system.com>
Sent: 08-09-23 11:33 AM
To: accounts@northwestcarrier.ca
Cc: 'Anoop Mokha ' <anoop@northwestcarrier.ca>
Subject: RE: CHEQUE BOUNCE

Good morning,
As per our verbal conversation, We are facing a hard time with Bank from the cheques received from Northwest.
If you could please reply to this email explaining the progress in this issue.

Sincerely,

ACCOUNTS



Ten4 System Ltd.

P: 905-451-3002

Head Office - 3456 91St NW

Edmonton, Alberta, Canada T6E5R1

EMAIL: accounts@ten4system.com

From: accounts@northwestcarrier.ca <accounts@northwestcarrier.ca>
Sent: Aug 10, 2023, 11:30 AM
To: Ten 4 system Ltd <accounts@ten4system.com>
Cc: 'Anoop Mokha ' <anoop@northwestcarrier.ca>
Subject: RE: CHEQUE BOUNCE

We respect your concerns. We are also trying to get the things sorted out at the earliest possible time. It is not in our hands; banking systems are slow and they usually take time to get the things sorted out. About holding the loads, I need to update the boss, as loads are already scheduled and getting last time cancellation may cause trouble with our customer services.

Regards,
Accounts,
Northwest Carrier Ltd
Contact:905-798-3808

From: Ten 4 system Ltd <accounts@ten4system.com>
Sent: 08-10-23 09:33 AM
To: accounts@northwestcarrier.ca
Cc: 'Anoop Mokha ' <anoop@northwestcarrier.ca>
Subject: RE: CHEQUE BOUNCE

Good morning team,
We are looking to check for the updates from your bank, as we are getting issues in paying for our stuff. We are doing business regularly; this had never happened before I don't want to ruin our relationship with your company. So, Please try to resolve the things at the earliest possible time.

NOTE:- WE ARE HOLDING ALL THE LOADS UNTILL WE RECEIVE THE PAYMENT FROM THE CURRENT INVOICES.

Sincerely,

ACCOUNTS



Ten4 System Ltd.

P: 905-451-3002

Head Office - 3456 91st NW

Edmonton, Alberta, Canada T6E5R1

EMAIL: accounts@ten4system.com

From: accounts@northwestcarrier.ca <accounts@northwestcarrier.ca>
Sent: Aug 11, 2023, 11:19 AM
To: Ten 4 system Ltd <accounts@ten4system.com>
Cc: 'Anoop Mokha ' <anoop@northwestcarrier.ca>
Subject: RE: CHEQUE BOUNCE 2

Hello, We are getting hard time as well, We both run trucking companies, so we understand what 's the situation. We are also on the same boat, have to give the payments and all. Thanks for the cooperation with us, but unfortunately, we don't have any other bank to pay you. Please understand the situation, we will get back to you.

Regards,
Accounts.
Northwest Carrier Ltd
Contact:905-798-3808

From: Ten 4 system Ltd <accounts@ten4system.com>
Sent: 08-11-23 08:59 AM
To: accounts@northwestcarrier.ca
Subject: CHEQUE BOUNCE 2

Hi team, this is to notify you that the same thing happened again with yesterday's cheques as well. We got the notice from the bank that the cheques which are deposited on Aug 8 were also bounced. Now our bank account is held by the branch, We are in serious trouble now. All our payments are stopped because of this, Please try to find what's happening with your bank accounts. This is our request please help us providing some other bank cheques so that we can keep our process going on.

Sincerely,

ACCOUNTS



Ten4 System Ltd.

P: 905-451-3002

Head Office - 3456 91St NW

Edmonton, Alberta, Canada T6E5R1

EMAIL: accounts@ten4system.com

This is Exhibit “C” referred to in the Affidavit of
Nasir Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI



TD Canada Trust
TD Westwood Mall

10358 (0521)

THIS DOCUMENT IS PRINTED ON WATERMARKED PAPER. SEE BACK FOR INSTRUCTIONS.

The Toronto-Dominion Bank

7225 GOREWAY DRIVE, BUILDING G MISSISSAUGA, ON L4T 0B5

7983082

Purchaser ANOOP SINGH

DATE 2023-08-29

DATE

YYMMDD

Transit-Serial No.

1862-07983082

Pay to the Order of TEN 4 SYSTEM LTD.

\$ *****720,840.57

SEVEN HUNDRED TWENTY THOUSAND EIGHT HUNDRED FORTY**57/100

Authorized signature required for amounts over CAD \$5,000.00

Canadian Dollars

Re

The Toronto-Dominion Bank
Toronto, Ontario
Canada M5K 1A2

Authorized Officer

Countersigned

Number

OUTSIDE CANADA NEGOTIABLE BY CORRESPONDENTS AT THEIR BUYING RATE FOR DEMAND DRAFTS ON CANADA

⑈07983082⑈ ⑆09612004⑆

⑈3808⑈

This is Exhibit “D” referred to in the Affidavit of
Nasir Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

**Township of North Dumfries**

PO Box 1060 2958 Greenfield Road ** REPRINT **
 Ayr Ontario N0B 1E0
 (519)-632-8800 Ext. 103 website: www.northdumfries.ca

TAX NOTICE

Final	2023
Mailing Date	July 7, 2023

Roll No. 3001-020-006-05010-0000				Bill No. 217670				
Mortgage Company				Mortgage No.				
Name and Address				Municipal Address/Legal Description				
1000043321 ONTARIO INC 2592 BURSLEM RD MISSISSAUGA ON L5A 2R6 CANADA				CEDAR CREEK RD NORTH DUMFRIES CON 11 PT LOT 28 RP 58R15460 PART 1				
Assessment			Municipal Levy		Region Levy		Education Levy	
Class	Value	Class/Educ. Support	Tax Rate(%)	Amount	Tax Rate(%)	Amount	Tax Rate(%)	Amount
RTEP	\$260,000.00	Res/Farm Tx:Full - EPubSup	0.00269518	\$700.75	0.00567377	\$1,475.18	0.00153000	\$397.80
Sub Totals >>>			Municipal Levy	\$700.75	Region Levy	\$1,475.18	Education Levy	\$397.80
Special Charges				Installments		Summary		
By Law #	Description	Amt	Exp Year	Due Date	Amount			
				9/1/2023	\$682.33	Sub-Total - Tax Levy		
				11/1/2023	\$681.00	Special Charges/Credits		
						2023 Tax Cap Adjustment		
						Final 2023 Levies		
						Less Interim Tax Notice		
						Past Due Taxes/Credit		
Total Special Charges		\$0.00				Total Amount Due	\$2,634.26	

Schedule 2
2022 to 2023

Final 2022 Levies	Final 2023 Levies	Total Year Over Year Change
\$2,420.80	\$2,573.73	\$152.93
Final 2022 Levies		\$2,420.80
* 2022 Annualized Taxes		\$2,420.80
2023 Local Municipal Levy Change		\$33.63
2023 County Levy Change		\$119.30
2023 Provincial Education Levy Change		
2023 Tax Change Due to Re-Assessment		
** Final 2023 Levies		\$2,573.73

** Adjusted and final tax amounts apply only to the property or portion(s) of property referred to in this notice and may not include some special charges and credit amounts.

Schedule 3
Explanation of Property Tax Calculations

	Commercial	Industrial	Multi-Res.
2023 CVA Taxes	\$0.00	\$0.00	\$0.00
* 2022 Annualized Taxes	\$0.00	\$0.00	\$0.00
2023 Tax Cap Adjustment	\$0.00	\$0.00	\$0.00
2023 Provincial Education Levy Change	\$0.00	\$0.00	\$0.00
2023 Municipal Levy Change	\$0.00	\$0.00	\$0.00
** 2023 Adjusted Taxes	\$0.00	\$0.00	\$0.00

* An annualized tax figure is used in this analysis to compensate for mid-year adjustments in tax treatment or assessment value. If a property did not have any mid-year adjustments the annualized taxes should equal the Final tax amount listed above.

Township of North Dumfries
 2958 Greenfield Road
 PO Box 1060
 Ayr Ontario N0B 1E0
 (519)-632-8800 Ext. 103 website: www.northdumfries.ca

Payment Methods:

By cheque or cash at the Township office 8:30am - 4:30pm (after hours drop box available for cheques only)
 By mail to PO Box 1060, Ayr, ON, N0B 1E0, or electronically at or through your bank by the due date. Late penalty of 1.25% will be added after the due date and on the 1st day of each month thereafter. A \$55.00 charge will be added for any NSF or other returned cheque.

PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	3001-020-006-05010-0000
Name	1000043321 ONTARIO INC
Address	2592 BURSLEM RD MISSISSAUGA, ON L5A 2R6
Due Date	Total Due
November 1, 2023	\$681.00

Township of North Dumfries
 2958 Greenfield Road
 PO Box 1060
 Ayr Ontario N0B 1E0
 (519)-632-8800 Ext. 103 website: www.northdumfries.ca

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PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	3001-020-006-05010-0000
Name	1000043321 ONTARIO INC
Address	2592 BURSLEM RD MISSISSAUGA, ON L5A 2R6
Due Date	Total Due
September 1, 2023	\$1,953.26

**Township of North Dumfries**

PO Box 1060 2958 Greenfield Road ** REPRINT **
 Ayr Ontario N0B 1E0
 (519)-632-8800 Ext. 103 website: www.northdumfries.ca

TAX NOTICE

Final	2023
Mailing Date	July 7, 2023

Roll No. 3001-020-006-05001-0000				Bill No. 217667				
Mortgage Company				Mortgage No.				
Name and Address				Municipal Address/Legal Description				
1000122550 ONTARIO INC 2592 BURSLEM RD MISSISSAUGA ON L5A 2R6				2396 CEDAR CREEK RD CON 11 PT LOT 28				
Assessment			Municipal Levy		Region Levy		Education Levy	
Class	Value	Class/Educ. Support	Tax Rate(%)	Amount	Tax Rate(%)	Amount	Tax Rate(%)	Amount
RTEP	\$173,000.00	Res/Farm Tx:Full - EPubSup	0.00269518	\$466.27	0.00567377	\$981.56	0.00153000	\$264.69
Sub Totals >>>			Municipal Levy	\$466.27	Region Levy	\$981.56	Education Levy	\$264.69
Special Charges				Installments		Summary		
By Law #	Description	Amt	Exp Year	Due Date	Amount			
				9/1/2023	\$454.14	Sub-Total - Tax Levy		
				11/1/2023	\$453.00	Special Charges/Credits		
						2023 Tax Cap Adjustment		
						Final 2023 Levies		
						Less Interim Tax Notice		
						Past Due Taxes/Credit		
Total Special Charges		\$0.00				Total Amount Due		\$1,752.81

Schedule 2
2022 to 2023

Final 2022 Levies	Final 2023 Levies	Total Year Over Year Change
\$1,610.76	\$1,712.52	\$101.76
Final 2022 Levies		\$1,610.76
* 2022 Annualized Taxes		\$1,610.76
2023 Local Municipal Levy Change		\$22.38
2023 County Levy Change		\$79.38
2023 Provincial Education Levy Change		
2023 Tax Change Due to Re-Assessment		
** Final 2023 Levies		\$1,712.52

Schedule 3
Explanation of Property Tax Calculations

	Commercial	Industrial	Multi-Res.
2023 CVA Taxes	\$0.00	\$0.00	\$0.00
* 2022 Annualized Taxes	\$0.00	\$0.00	\$0.00
2023 Tax Cap Adjustment	\$0.00	\$0.00	\$0.00
2023 Provincial Education Levy Change	\$0.00	\$0.00	\$0.00
2023 Municipal Levy Change	\$0.00	\$0.00	\$0.00
** 2023 Adjusted Taxes	\$0.00	\$0.00	\$0.00

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Township of North Dumfries
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Payment Methods:

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PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	3001-020-006-05001-0000
Name	1000122550 ONTARIO INC
Address	2592 BURSLEM RD MISSISSAUGA, ON L5A 2R6
Due Date	Total Due
November 1, 2023	\$453.00

Township of North Dumfries
 2958 Greenfield Road
 PO Box 1060
 Ayr Ontario N0B 1E0
 (519)-632-8800 Ext. 103 website: www.northdumfries.ca

Payment Methods:

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 By mail to PO Box 1060, Ayr, ON, N0B 1E0, or electronically at or through your bank by the due date. Late penalty of 1.25% will be added after the due date and on the 1st day of each month thereafter. A \$55.00 charge will be added for any NSF or other returned cheque.

PLEASE DETACH AND SUBMIT WITH PAYMENT THANK YOU

Received from:	
Roll #	3001-020-006-05001-0000
Name	1000122550 ONTARIO INC
Address	2592 BURSLEM RD MISSISSAUGA, ON L5A 2R6
Due Date	Total Due
September 1, 2023	\$1,299.81

Bill Payment Service

Payment from VAHO TRUCK SOLUTIONS INC.
PFS ID 11826166
Print date & time 2023 Sep 13 10:14 AM ET

NORTH DUMFRIES, TOWNSHIP OF - TAXES -- NORTH

Payment from 38582-***6303-2398202 CA
Account to pay 3001020006050010000-ayr 2
Status Processing
Confirmation number 6Dxlp-3842437

Payment details

Payment amount: **\$845.67**
Payment date: **2023 Sep 13**

Please retain your confirmation number, noted above, for future reference.

Bill Payment Service

Payment from VAHO TRUCK SOLUTIONS INC.
PFS ID 11826166
Print date & time 2023 Sep 13 10:15 AM ET

NORTH DUMFRIES, TOWNSHIP OF - TAXES -- NORTH

Payment from 38582-***6303-2398202 CA
Account to pay 3001020006050100000-ayr 1
Status Processing
Confirmation number 6DxK0-3843163

Payment details

Payment amount: **\$1,270.93**
Payment date: **2023 Sep 13**

Please retain your confirmation number, noted above, for future reference.

Bill Payment Service

Payment from VAHO TRUCK SOLUTIONS INC.
PFS ID 11826166
Print date & time 2023 Sep 13 10:15 AM ET

NORTH DUMFRIES, TOWNSHIP OF - TAXES -- NORTH

Payment from 38582-***6303-2398202 CA
Account to pay 3001020006050010000-ayr 2
Status Completed
Confirmation number 6D9ZP-8930710

Payment details

Payment amount: **\$455.00**
Payment date: **2023 Sep 08**

Please retain your confirmation number, noted above, for future reference.

Bill Payment Service

Payment from VAHO TRUCK SOLUTIONS INC.
PFS ID 11826166
Print date & time 2023 Sep 13 10:16 AM ET

NORTH DUMFRIES, TOWNSHIP OF - TAXES -- NORTH

Payment from 38582-***6303-2398202 CA
Account to pay 3001020006050100000-ayr 1
Status Completed
Confirmation number 6D9Zn-8930950

Payment details

Payment amount: **\$683.00**
Payment date: **2023 Sep 08**

Please retain your confirmation number, noted above, for future reference.

This is Exhibit “E” referred to in the Affidavit of Nasir
Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI



EFT Payments

Generated by NASIR

Generated on 2023-13-09 03:24 PM EST

EFT Account ID	File Number	Number of Payments	Total Amount	Last Updated Date	Status
CR517TEN4S - TEN 4 SYSTEM LTD.	0105	2	67,742.72 CAD	2023-09-13	Confirmed
Funding Account					
0001362921976517					

Payee/Payer Name	Template	Value Date	Amount	Short Name	Long Name	Bank Details	Status	Reason
1000122550 ontario inc	AYRY1	2023-09-13	\$ 37,790.77 CAD CR	expense	expense	0003-03252 1004159	Scheduled	
1000043321 ontario inc.	AYRY2	2023-09-13	\$ 29,951.95 CAD CR	expense	expense	0003-03252 1003920	Scheduled	

This is Exhibit "F" referred to in the Affidavit of Nasir
Mahmood, sworn October 02, 2023.

Adam Asgarali

Commissioner for Taking Affidavits (or as may be)

ADAM ASGARALI

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

1000043321 ONTARIO INC. and 1000122550 ONTARIO INC.

Applicants

- and -

PRIDE TRUCK SALES LTD.

Respondent

NOTICE OF APPLICATION

TO THE RESPONDENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the Applicants. The claim made by the Applicants appears on the following pages.

THIS APPLICATION will come on for a hearing

- In person
- By telephone conference
- By video conference

at the following location:

7755 Hurontario Street Brampton, ON, L6W 4T6

on a date to be set by the registrar.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but at least four days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO OPPOSE THIS APPLICATION BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date: October 2, 2023

Issued by:

Local registrar

7755 Hurontario Street
Brampton, ON
L6W 4T6

TO: PRIDE TRUCK SALES LTD.
1450 Meyerside Dr., Suite 401
Mississauga, ON L5T 2N5

APPLICATION

THE APPLICANTS MAKE APPLICATION FOR:

1. An Order requiring the Respondent to discharge the two charges in the respective amounts of \$3,000,000 Canadian dollars each, registered in its favour, on the property municipally addressed as 2396 Cedar Creek Road, Ayr, Ontario, N0B 1E0;
2. Costs of this Application; and,
3. Such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE APPLICATION ARE:

4. The Applicants are the owners of a property municipally addressed as 2396 Cedar Creek Road, Ayr, Ontario, N0B 1E0, comprised of two Pin Numbers 03848-0355 (LT) and 03848-0068 (LT) (hereinafter the “**Property**”).
5. The Applicants and the Respondent entered into a Loan and/or Promissory Agreement dated May 3, 2023 (hereinafter the “**Agreement**”).
6. The Agreement stipulated that in exchange for the advance of a loan in the sum of \$2,000,000 Canadian dollars to the Applicants and certain other affiliated companies, the Respondent could register a charge in the amount of \$3,000,000 Canadian dollars on each of a number of enumerated properties, including the subject Property.
7. Specifically, the Agreement stated that said charge may be applied to “*each*” (singular) of the properties stipulated in the Agreement.

8. That specific list of properties stipulated in the Agreement described the Property as a single property comprised of two Pin Numbers, being 03848-0355 (LT) and 03848-0068 (LT).
9. Despite the clear language of the Agreement permitting the Respondent to register a charge of no more than \$3,000,000 against the subject Property, the Respondent has registered two charges of \$3,000,000 Canadian dollars against each of the two Pin Numbers 03848-0355 (LT) and 03848-0068 (LT) comprising the Property.
10. Thus, the Respondent has in fact registered a charge of \$6,000,000 Canadian dollars against the Property, in breach of the Agreement.
11. The Applicants have made multiple requests to the Respondent to abide by the terms of the Agreement by correcting the amount charged, but the Respondent has refused to do.
12. Rules 1.04, 1.05, 2.01, 2.03, 38, and 57 of the *Rules of Civil Procedure, R.R.O. 1990, Reg. 194*.
13. Such further grounds as counsel may advise and this Honourable Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE WILL BE USED AT THE HEARING OF THE APPLICATION:

14. The Affidavit of Hardev Singh Taggar, to be sworn; and,
15. Such further and other material as counsel may advise and this Honourable Court may permit.

Date: October 2, 2023

**M. SINGH LAW
PROFESSIONAL CORPORATION**

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

Manjit Singh (LSO #55976D)

Tel: 647.722.8400

Email: MSingh@MSinghLaw.ca

Lawyer for the Applicants

Court File No.:

**1000043321 ONTARIO INC. AND 1000122550
ONTARIO INC.**

- and -

PRIDE TRUCK SALES LTD.

Applicants

Respondent

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT BRAMPTON

NOTICE OF APPLICATION

**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 Applicants



Civil Submissions Online

Confirmation

Thank you for submitting document(s) through the Portal for filing and/or issuance with the Superior Court of Justice in your civil (or Divisional Court) proceeding.

You will be notified by the Court Registrar about whether your document(s) have been accepted for filing and/or issuance. This notice will be sent to you by email **within 5 business days**. Your credit/debit card will only be charged once the filing has been accepted. If you used Interac Online to pay a court filing fee, your account has already been debited.

If your documents are rejected, you will receive an email from the court office to tell you they have not been filed, the reason(s) for the rejection, and confirming that your credit/debit card has not been charged. **If you used Interac Online to pay a court filing fee, your money will be refunded within 30 days.**

If you need to file or issue documents for a court hearing that is 5 business days or less away or you need to meet a timeline for a step in the proceeding established by legislation, court rules, court practice direction or a court order and the timeline is 5 business days or less away, your request may not be processed in time. Contact the court office for more information.

Please ensure that your computer system can accept emails from the court (for example, by adjusting your spam filter to ensure that you receive all emails from court staff with "@ontario.ca" addresses). If you are expecting an email and have not received one, please check your junk mail folder before contacting the court office.

Submitted to the Superior Court of Justice in

Brampton

Confirmation number

1775544

Document(s) submitted

Form 14E: Notice of Application

Payment reference number

27263858

Payment method

VISA

Credit card number

*****5018

Date and time

02-Oct-2023 11:34 AM

Total fee

\$243.00

Client internal file name and/or file number

Taggar - Numbered Companies v. Pride

Case specific questions and questions about your submission should be directed to the court office where your documents were submitted.

You can find a list of [courthouse addresses and phone numbers](#) on the Ministry of the Attorney General's website.

To help us improve our services, please provide us with feedback on your online experience. The information collected is for research purposes only. Your responses are completely confidential.

[Rate Our Service](#)

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

AFFIDAVIT OF NASIR MAHMOOD
(sworn October 02, 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

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

RESPONDING RECORD

**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