

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)	MONDAY, THE 5 th
)	
JUSTICE STEELE)	DAY OF MAY, 2025

B E T W E E N:

ROYAL BANK OF CANADA

Applicant

and

MOORE BROTHERS TRANSPORT LTD. and CBM RENTALS INC.

Respondents

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

ANCILLARY ORDER

THIS MOTION, made by msi Spergel inc., in its capacity as the Court-appointed receiver (the "**Receiver**"), of the undertaking, property and assets of Moore Brothers Transport Ltd. ("**Moore Brothers**") and CBM Rentals Inc. ("**CBM**") (collectively, the "**Debtors**"), appointed pursuant to the Orders of the Honourable Justice Cavanagh dated December 9, 2024 and January 10, 2025, for an Order:

1. abridging the time for service, filing and confirmation of the Notice of Motion and the Motion Record so that this motion is properly returnable today, and dispensing with further service and confirmation hereof;

2. approving the Receiver's First Report to the Court dated April 23, 2025 (the "**First Report**") and the activities and conduct of the Receiver as detailed therein;
3. approving the Receiver's Interim Statement of Receipts and Disbursements as at April 22, 2025;
4. approving the fees and disbursements of the Receiver and its counsel; and
5. such further and other relief as counsel may request and this Honourable Court may permit;

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

ON READING the Notice of Motion dated April 24, 2025, the First Report, and on hearing the submissions of counsel for the Receiver and all other counsel and parties present, no one else appearing for any other party on the service list although properly served as appears from the Affidavit of Service of Hayley Morgan sworn April 24, 2025, filed;

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record be and is hereby abridged so that this motion is properly returnable today and hereby dispenses with further service and confirmation hereof.

2. **THIS COURT ORDERS** that the First Report and the activities and conduct of the Receiver as detailed therein, be and are hereby approved, provided that only the

Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

3. **THIS COURT ORDERS** that the Receiver's interim statement of receipts and disbursements as at April 22, 2025 is hereby approved;

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

ROYAL BANK OF CANADA
Applicant

-and- **MOORE BROTHERS TRANSPORT LTD. et al.**
Respondents

Court File No. CV-24-00729106-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

PROCEEDING COMMENCED AT
TORONTO

ANCILLARY ORDER

GOWLING WLG (CANADA) LLP

1 First Canadian Place
100 King Street West, Suite 1600
Toronto, ON M5X 1G5

Rachel Moses (LSO# 42081V)
rachel.moses@gowlingwlq.com
Tel: 416-862-3630

Lawyers for the Receiver, msi Spergel inc.