

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

THE HONOURABLE)	THURSDAY, THE 22ND
)	
JUSTICE CONWAY)	DAY OF MAY, 2025

ROYAL BANK OF CANADA

Applicant

and

AHM TRANSPORT INC., AISHKA EXPRESS 2016 INC., AISHKA EXPRESS INC.,
AISHKA RECYCLING INC. and TANUSH TRANSPORT INC.

Respondents

**ORDER
(Asset Recovery 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 the Respondents, AHM Transport Inc., Aishka Express 2016 Inc., Aishka Express Inc., Aishka Recycling Inc., and Tanush Transport Inc. (collectively, the "**Debtors**"), appointed pursuant to the Order of the Honourable Justice Osborne dated September 16, 2024, for an Order, was heard this day by videoconference.

ON READING the Notice of Motion dated April 24, 2025, the First Report of the Receiver dated April 24, 2025 and the Supplement Report to the First Report dated May 21, 2025 (collectively the "**First Report**"), and on hearing submissions of counsel for the Receiver, and counsel for the Respondents, no one else appearing although duly

served as appears from the Affidavit of Service of Sydney Inghelbrecht, dated April 24, 2025, filed,

RECOVER OF DEBTORS' PROPERTY

1. **THIS COURT ORDERS** that any terms in this Order not otherwise defined herein shall have the meaning set out in the First Report.
2. **THIS COURT ORDERS** that the Debtors and the Principals shall permit the Receiver to take possession and exercise control over the Property, and any and all proceeds, receipts and disbursements arising out of or from the Property, in accordance with the Receivership Order, including but not limited to, providing the Receiver with the location of the Missing Property.
3. **THIS COURT ORDERS** that the Debtors and Principals shall be required to assist the Receiver in implementing the Receivership Order and to provide the Receiver or its agents and representatives or any other party authorized by the Receiver information regarding the location of the Property.
4. **THIS COURT ORDERS** that the Debtors and the Principals shall immediately disclose to the Receiver in writing their knowledge of the location of any of the Debtors' Property, as requested by the Receiver.
5. **THIS COURT ORDERS** that the Receiver or its agents and representatives or any other party authorized by the Receiver, are hereby authorized to take immediate possession of, and remove from the Debtors' premises, any of the Debtors' Property.
6. **THIS COURT ORDERS** that any local sheriff, police or peace officers shall assist the Receiver, or its agents or representatives, in implementing this Order, including by assisting the Receiver or its agents or representatives in gaining access to the Debtors' premises and recovering the Property in the Debtors' possession, as requested by the Receiver or its agents or representatives.
7. **THIS COURT ORDERS** that any person or other entity acting in any capacity whatsoever in power, possession or control of Property (a "**Person**") shall provide the Receiver or its agents and representatives, or any other party authorized by the

Receiver, with immediate access to any real property, premises or structure, whether fixed or temporary, in, below or upon which any Property is located (a “**Location**”). Any such Person shall allow and/or facilitate the Receiver or its agents and representatives, or any other party authorized by the Receiver, to enter into any locked premises, garages, and/or gated yards, and to remove any equipment that may be blocking the recovery of the Property by its agents and representatives, or any other party authorized by the Receiver.

8. **THIS COURT ORDERS** that no Person, other than the Receiver or its agents and representatives, or any other party authorized by the Receiver, may move, relocate, transport, or conceal from the Receiver any Property in any manner whatsoever.

9. **THIS COURT ORDERS** that the Receiver shall not be required to make any payments to any Person in respect of costs any Person incurred or may incur to facilitate entry to any Location or in the recovery of any Property by the Receiver or its agents and representatives, or any other party authorized by the Receiver. Such costs include but are not limited to any costs in respect of rent, storage, repair or maintenance charges, and charges from time spent or incurred by any Person in facilitating the release of the Property to the Receiver.

GENERAL

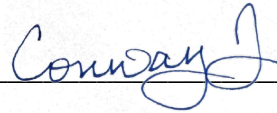
10. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

11. **THIS COURT ORDERS** that the Receiver be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the

terms of this Order, and that the Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

12. **THIS COURT ORDERS** that any interested party may apply to this Court to vary or amend this Order on not less than seven (7) days' notice to the Receiver and to any other party likely to be affected by the order sought or upon such other notice, if any, as this Court may order.

13. **THIS COURT ORDERS** that this Order is effective from the date it is made, and it is enforceable without any need for entry and filing, provided that any party may nonetheless submit a formal order for entry and filing, as the case may be.

A handwritten signature in blue ink, appearing to read "Conway", is written over a horizontal line.

Justice Conway, Ontario Superior Court of Justice
(Commercial List)

ROYAL BANK OF CANADA

and

AHM TRANSPORT INC., et al.

Applicant

Respondents

Court File No. CV-24-00725055-00CL

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

PROCEEDING COMMENCED AT
TORONTO, ONTARIO

CF89F

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