

ONTARIO
SUPERIOR COURT OF JUSTICE BANKRUPTCY COURT
SPECIAL APPOINTMENT SCHEDULING FORM

IN THE MATTER OF THE BANKRUPTCY OF BLUE SLING PROPERTY MANAGEMENT LIMITED AND THE OTHER ESTATES LISTED IN THE SCHEDULE ATTACHED HERETO.

DATE MOTION FILED: JANUARY 18 2023

PLEASE NOTE: THIS FORM MUST BE COMPLETED AND RETURNED TO THE BANKRUPTCY COURT OFFICE PRIOR TO A SPECIAL APPOINTMENT BEING SCHEDULED.

The purpose of this form is to provide the Registrars in Bankruptcy with information to Assess the readiness of the case for hearing, estimate the probable length of the hearing, and to establish a fixed hearing date.

The Moving Party is expected to attempt to consult with all concerned parties and to seek their assistance with the information to be provided.

Please provide a Brief factual overview and nature of sought: msi Spergel inc., in its capacity as Trustee of various old estates is seeking its discharge at the request of and with the consent of the Office of the Superintendent of Bankruptcy. Additional explanation continues on the attached page.

| Party | Name | Telephone | Fax No. | email |
|---------------------|--------------------|--------------|--------------|------------------------------------|
| Trustee | Philip Gennis | 416-498-4325 | 416-498-4325 | pgennis@spergel.ca |
| Lawyer for Trustee | N/A | | | |
| Bankrupt | N/A | | | |
| Lawyer for Bankrupt | N/A | | | |
| OSB | Marie-Josée Sicard | 416-723-4651 | | MARIE-JOSEE.SICARD@ISED-ISDE.GC.CA |
| Lawyer for OSB | N/A | | | |
| Other (Specify) | N/A | | | |
| | | | | |

1. Parties' current **best estimate in minutes for complete hearing of matter** 45 MINUTES
2. **Percentage estimate of resolution by parties prior to hearing** 0%
3. Case type:
 - Bankrupt's discharge application
 - Motion
 - Specify relief sought/type of motion: _____
 - Taxation of Statement of Receipts and Disbursements
 - Taxation of Legal Bill(s)
 - Trustee's Discharge Applications (Multiple Estates)
 - Other: _____
4. Is any party self represented? **YES**
5. Is a translator required? **NO** Language _____
6. Is oral testimony of any nature required? **NO**
7. If the long hearing relates to a motion:
 - Have all motion materials been prepared? **YES**
 - If not, when will the materials be served? **N/A**
 - Are cross examinations expected? **N/A**
 - Have all undertakings and/or refusals been answered? **N/A**

By what date will examinations be completed? N/A

Are any interlocutory motions required? N/A
 If so, have they been booked? N/A
 Please specify date: _____

Will factums be required? NO
 If so, have they been exchanged? N/A
 If not, please specify date of anticipated exchange: _____

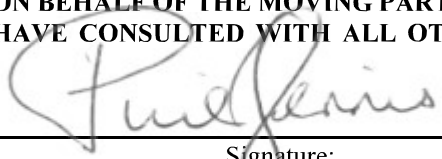
8. Are any pre-hearing examinations required? NO
 If so, please specify the date agreed upon and booked: _____
 Are transcripts available? YES NO
 If not, please specify when transcripts will be available: _____

9. IF Oral Examinations before the Registrar are anticipated please complete the following table:

| Witness name | Party calling witness | Length of direct examination | Length of cross examination | Length of re-direct | Total length |
|--------------|-----------------------|------------------------------|-----------------------------|---------------------|--------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

I HEREBY CERTIFY THAT ON BEHALE OF THE MOVING PARTY I HAVE ACCURATELY ANSWERED ALL OF THE QUESTIONS AND THAT I HAVE CONSULTED WITH ALL OTHER LAWYERS/PARTIES FOR THE PURPOSE OF COMPLETING THIS FORM.

Date: January 18, 2023



Signature:
 Print Name: Philip H. Gennis, JD., CIRP, LIT

FOR COURT USE ONLY:

ENDORSEMENT:

Date: March 23, 2023



 Registrar
 ASSOCIATE JUSTICE ILCHENKO

Adjourned to a Case Conference on April 27, 2023 at 9:30 AM to allow the OSB and the the Trustee to reflect on some of the possible systemic implications of granting the relief requested, and the jurisdictional issues regarding s.192 of the BIA and the requirements imposed by the BIA, the BIA Rules and Directives on the steps required to discharge a Trustee.


 Associate Justice Ilchenko



April 27, 2023

Adjourned to a further case conference on request of the Trustee and the OSB

Mr. Gennis and Ms. Sicard will compare documentation that is available with respect to the subject open estates so that an inventory can be prepared for the next case conference to determine how practically the LIT can comply with the provisions of s.41 and the taxation provisions of the BIAR, given the paucity of estate documentation.

A handwritten signature in black ink, consisting of several overlapping, sweeping lines that form a stylized, elongated shape.

ASSOCIATE JUSTICE ILCHENKO

September 20, 2023

With the assistance of Mr Gennis and Ms. Sicard and Ms. Stubbs on behalf of the Bankruptcy Court Office, I believe that we have worked out a procedure that respects the provisions of s.41 of the BIA, recognizes that the documentation available to the Trustee from the files of the former trustees may be less than optimal and does not impose an administrative burden on the Bankruptcy Court Office.

- 1) All of the Matters listed on Schedule A to this Endorsement (the “**Estates**”) will be dealt with on one omnibus motion, under the **Blue Sling Property Management Limited 31-226687** Style of Cause, for the purposes of setting up a Caselines event bundle, and filing materials through the Bankruptcy Portal;
- 2) All of the taxations and discharges for all of the Estates listed on Schedule A to this Endorsement shall be heard by me at a Special Appointment **on October 26 at 10 AM** for the full day (the “**Hearing**”);
- 3) Given the paucity of the documentation and the age of the files, many of which have never been in the Court system, or have ever been digitized, I will deal with both the Taxation and the Discharge of the Trustee, or alleged Trustee, of all of the Estates at the hearing on October 26 under the provisions of s.41, to the extent that the state of these files permit compliance with the strict provisions of s.41, with the process amended to make compliance more practical;
- 4) The Trustee will prepare one updated Supplementary Affidavit for this matter for all of the Estates (the “**Supplementary Affidavit**”), as a supplement to the existing Affidavit of Alan Spergel sworn January 11, 2023 (the “**Original Affidavit**”), with the documentation available with respect to each Estate being exhibits to the Supplementary Affidavit;
- 5) When prepared, the Trustee will upload this Endorsement, the Motion Record with the Original Affidavit, the Supplementary Affidavit, the Notice of the Hearing and the Notice of the Hearing Materials to a website set up for the purpose of providing access to this documentation **by October 6, 2023** (the “**Website**”) which contains a link to an email box for creditors to be able to request information from the Trustee relating to these discharges and the Hearing;
- 6) If addresses of Creditors in the Estates are available in the documentation relating to an individual Estate, the Trustee shall mail a Notice of the October 26 hearing, containing the Zoom Coordinates for the Hearing as well as the IP address for the Website, to all of those creditors **by October 6, 2023** (the

“Notice”) and that an omnibus Affidavit of Service be provided with respect to the mailings (the **“Affidavit of Service”**);

- 7) Trustee to provide **by October 23, 2023** a hard copy of the Supplementary Affidavit to the Bankruptcy Court Office and a draft Order in Word should be provided to the Bankruptcy Court Office to be forwarded to me
- 8) All of the materials relating to the Hearing should be uploaded to Caselines, **by October 23, 2023**, including any objections sent by Creditors to the Trustee;
- 9) At the Hearing the Trustee should provide information relating to the inquiries received with respect to the Estates;
- 10) Creditors shall have **until October 23** to file objections to discharge in any of the Estates in accordance with s.41(5) which will be dealt with at the Hearing.

If the Trustee requires clarification or assistance, they should contact the Bankruptcy Court Office, and I will make myself available.

A handwritten signature in black ink, consisting of a series of connected strokes that form a stylized, elongated shape.

ASSOCIATE JUSTICE ILCHENKO

Schedule "A"

A107

| | Estate No. | Insolvency Date | Trustee | Responsible Person | TD Discharge Date per OSB | Documents on Hand |
|--|------------|-----------------|---------|--------------------|---------------------------|-------------------|
|--|------------|-----------------|---------|--------------------|---------------------------|-------------------|

CORPORATE BANKRUPTCIES

| | | | | | | |
|--|-----------|-----------|------------------|------------|--|--------------------------|
| Blue Sling Property Management Limited | 31-226687 | 31-Aug-87 | msi Spergel inc. | A. Spergel | | See Attached Spreadsheet |
| 4 Corners Pizza Company | 31-226685 | 31-Aug-87 | msi Spergel inc. | A. Spergel | | See Attached Spreadsheet |
| Briz Management Inc. | 31-226686 | 31-Aug-87 | msi Spergel inc. | A. Spergel | | See Attached Spreadsheet |
| 1146964 Ontario Limited | 31-368057 | 9-Nov-99 | msi Spergel inc. | A. Spergel | | See Attached Spreadsheet |
| Videoline Distribution Inc. | 31-221174 | 13-Feb-86 | msi Spergel inc. | A. Spergel | | See Attached Spreadsheet |
| Vogue Brassiere Incorporated | 31-401917 | 12-Mar-02 | msi Spergel inc. | J. Adiken | | No Documents Available |
| Supreme Profiles Inc. | 32-047111 | 28-Mar-91 | msi Spergel inc. | A. Spergel | | No Documents Available |
| A P B Extrusion Tooling Ltd. | 32-047101 | 28-Mar-91 | msi Spergel inc. | A. Spergel | | No Documents Available |

ANNULLED DIVISION 1 PROPOSALS

| | | | | | | |
|---------------------------|-----------|-----------|------------------|------------|----------|--------------------------|
| Hyndman, Lynda Lea Sandra | 31-240871 | 2-Nov-90 | msi Spergel inc. | A. Spergel | Annulled | See Attached Spreadsheet |
| Hawkins, Robert Michael | 31-240870 | 2-Nov-90 | msi Spergel inc. | A. Spergel | Annulled | See Attached Spreadsheet |
| Raqueno, Ramon Cruz | 32-045169 | 14-Dec-90 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |
| Doran, Patrick Joseph | 32-056585 | 14-Aug-92 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |
| Brown, John Bernard | 32-048877 | 27-Mar-92 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |
| Brown, Pamela Evangiline | 32-048878 | 27-Mar-92 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |
| Cox, Georgia Millicent | 32-047606 | 25-Apr-91 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |
| Feller, Gary Andrew | 32-014569 | 28-Feb-90 | msi Spergel inc. | A. Spergel | Annulled | No Documents Available |

DIVISION 1 PROPOSALS

| | | | | | | |
|---------------------------------|-----------|-----------|------------------|------------|--|------------------------|
| Racioppo, Frank | 32-098645 | 10-Jun-98 | msi Spergel inc. | A. Spergel | | No Documents Available |
| Alexopoulous, Alexander William | 32-156011 | 27-Sep-06 | msi Spergel inc. | C. Galea | | No Documents Available |

PETITIONS

| | | | | | | |
|-------------------------------|-----------|-----------|------------------|------------|--|--|
| New North Productions Inc. | 31-423967 | 12-Aug-03 | msi Spergel inc. | A. Spergel | | |
| Violeta Trifunovski | 31-455500 | 17-Apr-08 | msi Spergel inc. | J. Adiken | | |
| Office Supercentre Inc. | 31-045592 | 27-Aug-08 | msi Spergel inc. | J. Adiken | | |
| David Michael's Clothing Ltd. | 31-360082 | 25-Mar-99 | msi Spergel inc. | A. Spergel | | |
| Pearl Henry | 32-157424 | 5-May-08 | msi Spergel inc. | A. Spergel | | |
| Evelyn Weisz | 32-157425 | 6-May-08 | msi Spergel inc. | A. Spergel | | |

A107