



ONTARIO SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

**COUNSEL SLIP/ENDORSEMENT**

COURT FILE NO.: CV-21-00673084-00CL HEARING  
DATE: January 29, 2024

NO. ON LIST: 1

TITLE OF PROCEEDING: ROYAL BANK OF CANADA v. PEACE BRIDGE DUTY FREE INC.

BEFORE JUSTICE: KIMMEL

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party, Crown:**

Name of Person Appearing	Name of Party	Contact Info
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**For Defendant, Respondent, Responding Party, Defence:**

Name of Person Appearing	Name of Party	Contact Info
ULLMANN, DAVID	PEACE BRIDGE DUTY FREE INC	<a href="mailto:dullmann@blaney.com">dullmann@blaney.com</a>

**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info
REN, SHUANG	BUFFALO AND FORT ERIE PUBLIC BRIDGE AUTHORITY	<a href="mailto:Shuang.ren@ca.gowlingwlg.com">Shuang.ren@ca.gowlingwlg.com</a>

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**ENDORSEMENT OF JUSTICE KIMMEL:**

1. This application by the Royal Bank of Canada (the "Bank") for the appointment of a receiver over Peace Bridge Duty Free Inc. ("PBDF") had been adjourned previously for a full day hearing on January 29, 2024.
2. The Bank determined over the weekend, after reviewing the responding material filed by PBDF, that it requires an adjournment, on terms that have been agreed upon.
3. The agreed terms of adjournment as between the Bank and PBDF are reflected in a draft order that was presented to the court today and is on consent of those two primary parties. PBDF points out that some of the terms are in respect of matters that are confirmatory of existing practices.
4. This order is not opposed by any other active party on the service list. Both the Monitor and the Buffalo and Fort Erie Public Bridge Authority (landlord) were given the opportunity to review and comment on the draft order before it was presented.
5. This receivership application is adjourned to a full day hearing before me on April 26, 2024.
6. The parties have agreed to complete any cross-examinations by February 29, 2024 (which deadline is reflected in the draft order). The parties shall agree upon a timetable for the completion of all other pre-hearing steps such that all materials (including an allowance for a reply factum if deemed appropriate by the applicant) shall have been served, filed and uploaded onto CaseLines by no later than April 24, 2024.
7. Order dated January 29, 2024 to go in the form signed by me today with immediate effect.
8. PBDF is reminded that if there is to be a request for the sealing of confidential materials and the filing of redacted public versions of any "confidential" materials, that request will need to be the subject of a request for a sealing order to be addressed in written and oral submissions on proper notice.
9. There were a number of other matters identified at the January 29, 2024 attendance that the parties indicated they may be seeking further directions from the court about prior to the return of this application if they are unable to agree upon them, although none require the court's input at this time.
10. The parties may request a case conference of up to one hour before me through the Commercial List Scheduling Office if further directions are required before April 26, 2024. If my schedule cannot accommodate such within the normal court day, the parties may ask that it be scheduled at 9 a.m. or 4:30 p.m.



KIMMEL J.

January 30, 2024