

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Firestentano Plaintiff(s)

AND

Ferwin Defendant(s)

Case Management Yes No by Judge: McGowan

Counsel	Telephone No:	Facsimile No:
(see attached)		

- Order Direction for Registrar (No formal order need be taken out)
- Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- Adjourned to: _____
- Time Table approved (as follows): _____

The Receiver brought its motion today for approval of the sale of the Ouellette and Goyeau properties and other related relief. The Aguzzino also brought a motion seeking, amongst other things, a determination as to whether the Respondent owned the Goyeau property. Aguzzino claims a 60% interest.

7 May 18
Date

McGowan
Judge's Signature

Additional Pages 5

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Judges Endorsment Continued

Mr. Ferrari
interest in the Respondent. ~~Mr. Ferrari~~ ~~Respondent~~
~~and Wilsnelab~~ opposes this motion.
With respect to the Agazzino's
motion it has been adjourned to
Time 11/18 for two hours.
Mr. Ferrari ~~the Respondent~~ and Wilsnelab
shall deliver their facts by May 25/18
The Reg. Facts shall be delivered
by Time 5/18. There shall be no
more x-exams by the parties on
this motion.
Costs between these parties with
respect to today's receivership
motion shall be deferred to the
Time 11/18 motion.
With respect to the Receiver
motion it is now imposed.
The Approval, Vesting and Distribution
order shall go as per the draft
filed and signed as amended.

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Judges Endorsment Continued

There were two minor disputes with respect to the order that require mention.

First, Mos sought its costs of today's attendance. It declined to award the \$500.00 sought given the fluid nature of the matter and the last-minute resolution of the bulk of the order.

Second, Mr Ferrari opposed examinations sought in paras 17, 18. I am ordering the examinations as requested to the Receiver. I agree with the Receiver that the examinations are reasonable as related to the funds concerning the 2nd mortgage on the Goyeau property. Given developments it is also understandable in counsel for the Receiver did not seek them.

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Judges Endorsment Continued

evidence earlier

As per para 15 the confidential
appender shall remain sealed as
they meet the Sierra Club criteria.

McE