

# COUNSEL SLIP

COURT FILE

NO.: CV-20-00648781-00CL

DATE: Arch 23<sup>rd</sup> 2022

NO. ON LIST 3

TITLE OF  
PROCEEDING

*RBC V HIGHYON ASSETS CORP*

**COUNSEL FOR:**

PLAINTIFF(S) Rachel Moses

APPLICANT(S)

PETITIONER(S)

PHONE \_\_\_\_\_

FAX \_\_\_\_\_

EMAIL [rmoses@mindengross.com](mailto:rmoses@mindengross.com)

**COUNSEL FOR:**

DEFENDANT(S) Tim Hogan

RESPONDENT(S)

Mukul Manchanda [mmanchanda@spergel.com](mailto:mmanchanda@spergel.com)

Scott Weng [scott@wenglawfirm.ca](mailto:scott@wenglawfirm.ca)

PHONE \_\_\_\_\_

FAX \_\_\_\_\_

EMAIL [thogan@harrisonpensa.com](mailto:thogan@harrisonpensa.com)

**JUDICIAL NOTES:**

**Conway J. Endorsement**

The Receiver brings this motion for an approval and vesting order (AVO) with respect to the real property owned by the debtor at Highway 7 East, Richmond Hill, and for an ancillary order with various relief including approval of its activities and authorizing its discharge. The motion is unopposed.

I am satisfied that the transaction with respect to the real property meets the *Soundair* factors and should be approved. I am also satisfied that the ancillary relief should be granted. That order contains a sealing order for the confidential appendices to the First Report. I grant the sealing order as it meets the *Sierra Club/Sherman Estates* test for sealing. Counsel for the Receiver is directed to file a hard copy of the confidential appendices with the court in a sealed envelope with a copy of this endorsement and the ancillary order.

RBC inadvertently did not serve the fourth mortgagee with the motion record seeking the appointment of a receiver back in October 2020. It has since been in contact with the fourth mortgagee, who does not oppose an order dispensing with service of the motion record on the fourth mortgagee *nunc pro tunc*.

I have signed and attached three orders: the RBC service order, the AVO, and the ancillary order. These orders are effective from today's date and are enforceable without the need for entry and filing.

