



**SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

COUNSEL SLIP / ENDORSEMENT

COURT FILE NO.: CL-26-0000202-0000 **DATE:** June 2, 2026

REGISTRAR: Tenelle Cruickshank

NO. ON LIST: 1

**TITLE OF PROCEEDING: ROYAL BANK OF CANADA v.
ROADX EXPRESS LTD. et al**

BEFORE: JUSTICE FL MYERS

PARTICIPANT INFORMATION

For Plaintiff, Applicant / Moving Party:

Name of Person Appearing	Name of Party	Contact Info
E. Patrick Shea	Counsel to Applicant, RBC	Patrick.shea@gowlingwlg.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Alastair McNish	Counsel to Respondent, RoadX Express LTD.	amcnish@cpllp.com
Jason Wadden Maria Naimark	Counsel to Breadner Trailers	jwadden@tyrlllp.com mnamark@tyrlllp.com

For Other, Self-Represented:

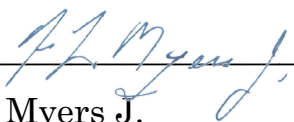
Name of Person Appearing	Name of Party	Contact Info
David Powrie	Third Party	dpowrie@evangelista.ca

ENDORSEMENT OF JUSTICE FL MYERS:

1. The Debtors (included secured Guarantors) do not oppose the Bank's request for the appointment of a receiver. Collecting the collateral may be challenging. The trucks and trailers have a variety of different creditors with different interests. Currently the locations of many trucks and trailers are not known. It is not clear if the office and records have been closed or been moved. Some trailers may have been repossessed already by equipment lessors. Some have been moved by management ostensibly to prevent piecemeal dealings.
2. This is a case in which it is just and convenient to appoint a receiver given the complicated list of players, competing interests, and complications finding the rolling stock collateral. Opportunities for disputes abound. A court-supervised process will allow the Receiver to protect and preserve the assets to seek maximum realization for all concerned while disputants come to court in an organized and fair manner rather than exercising self-help.
3. Everyone who deals with the Receiver is advised to review closely, preferably with Ontario legal counsel, paragraphs 3 through 6 of the order appointing the Receiver that I sign today.
4. Third parties that deal with the Debtors should understand that legally speaking, the Receiver speaks for those companies. The Receiver is not a law enforcement officer seeking to search or seize property or information. It acts in place of the board of directors and management of the Debtors exercising their contractual and legal rights such as they may be.
5. The order made by the court today requires people who deal with the Receiver to cooperate with its efforts to fulfil its duties including to locate, secure, and take possession of the property of the Debtors and Guarantors. **The court appreciates and expects cooperation.**

6. Everyone is required to assist the Receiver access electronic information and records related to the business or affairs of the Debtors. That includes providing it access to the necessary hardware and passwords or other assistance to access necessary software.
7. Everyone with notice of the order appointing the Receiver, including, the Debtors, and their respective directors, officers, management and employees, including Mr. Kahlon, are also required to advise the Receiver of the location of all property of the Debtors. They are required to give access to the property to the Receiver. **They are also expressly ordered in para. 4 of the order signed today to deliver all property of the Debtors to the Receiver upon request.**
8. The order appointing the Receiver is made under the federal *Bankruptcy and Insolvency Act*, RSC 1990 c B-16 as well as under Ontario law. It will be recognized and enforced across Canada. The Receiver is also given authority to act as foreign representative of the Debtors to bring a Chapter 15 proceeding in US Bankruptcy Court to recognize the receivership and enforce it across the US.
9. This court always appreciates the comity displayed by our colleagues sitting in US courts to give full faith and creditor to this court's orders. We regularly stand ready and able to do the same in return.
10. I note that regardless of where property is located, the orders of this court act on individuals within its jurisdiction *in personam*. Whether property is here or in Texas, people subject to this court's jurisdiction must comply with the court's orders.
11. The court will enforce its orders to the letter and in spirit.
12. Efforts to de-identify property or to keep property from the Receiver risk being held to be a breach of the court's order.
13. The Receiver is authorized to assign the Debtors, or any of them, into bankruptcy if, in its view, accessing the investigative and review powers of a trustee in bankruptcy would assist realization efforts. In addition, bankruptcy is appropriate to reverse priorities in light of the insolvency of the Debtors.
14. The Receiver is also empowered and authorized to compel people to attend for examination under oath concerning issues related to the exercise of the Receiver's authority. If taking possession of property of the Debtors becomes complicated, for example, the Receiver will likely need authority to examine witnesses quickly. People served with Notices of Examination are required to attend for examination at the time and place set out in the notices and to bring with them to the examinations the documents listed in the particular notice served upon them for inspection by the Receiver and its counsel.

- 15. I confirm the normal practice of his court that counsel for the Applicant may act for the Receiver except where matters involve the rights of the Applicant or amount to a conflict of interest.
- 16. Order signed as asked.



FL Myers J.

Justice FL Myers Digitally signed by Justice FL Myers
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