

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) TUESDAY, THE 4TH  
JUSTICE PARAYESKI ) DAY OF OCTOBER, 2022

B E T W E E N:

THE TORONTO-DOMINION BANK

Applicant

- and -

2580363 ONTARIO INC. AND 2580361 ONTARIO INC.

Respondents

**ORDER**

THIS MOTION made by the Applicant, the Toronto-Dominion Bank, for an order:

1. That the time for service, filing and confirmation of the Notice of Motion and the Motion Record be abridged so that this motion is properly returnable today and hereby dispensing with further service and confirmation hereof;
2. An Order that the Appointment Order of the Honourable Madame Justice MacNeil issued June 2, 2022, appointing msi Spergel inc. as Receiver, over all property of the Respondents, 2580363 Ontario Inc. and 2580361 Ontario Inc. (collectively, the “**Debtors**”) (the “**Appointment Order**”) be and is effective as against the Debtors as at September 1, 2022; and,
3. The costs of this motion;

was heard this day by Judicial teleconference via Zoom at 45 Main Street East, Hamilton, Ontario.

ON READING the affidavit of Jill Lamothe sworn September 9, 2022 and the Exhibits thereto, and on hearing the submissions of counsel for the Applicant, and counsel for the

Respondents, no one appearing for any other party on the service list although duly served as appears from the affidavit of service of Lindsay Ferguson sworn September 14, 2022.

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record be abridged so that this motion is properly returnable today and hereby dispensing with further service and confirmation hereof.
2. **THIS COURT ORDERS** that the Appointment Order in the herein Application be and is effective as of September 1, 2022.
3. **THIS COURT ORDERS** that the Respondents pay costs of this motion to the Applicant in the amount of \$2,500.00.

“Parayeski J.”

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*(Signature of Judge)*

THE TORONTO-DOMINION BANK

v.

2580363 ONTARIO INC. and 2580361 ONTARIO INC.

Applicant

Respondents

Court File No. CV-22-00078521-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT HAMILTON

**ORDER**

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