

Lindsay Provost

From: Koehnen, Mr. Justice Markus (SCJ) <Markus.Koehnen@scj-csj.ca>
Sent: Friday, November 13, 2020 2:16 PM
To: Tim Hogan
Cc: JUS-G-MAG-CSD-Toronto-SCJ Commercial List; Rob Danter; Lindsay Provost
Subject: Re: Email to Koehnen - Royal Bank of Canada v. Uniform Custom Countertops Inc. et al, Court File CV-20-00640197-00CL [IWOV-HPMain.FID492199]
Attachments: Uniform ancillary order 20201113.pdf; Uniform custom AVO 20201113.pdf

[EXTERNAL EMAIL]

Endorsement

The receiver seeks an approval and vesting order and an ancillary order approving the receiver second report, expenses and a ceiling order.

I grant the relief sought and attached signed orders to that effect.

I am nevertheless satisfied from the receiver's report, including the e-marketing summary, that that reasonable efforts to sell and market the property have been made and that the proposed sale is the best transaction available. I note that it is the superior of the two offers that were obtained.

I am satisfied that the confidential record of the receiver should be sealed. In the event that the transaction does not close, having public access to the sealed record could potentially prejudice any future sales.

The receiver's fees and counsel's fees seem eminently reasonable in light of the degree of effort required and the total recoveries to date.

Justice Markus Koehnen

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