

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR. ) WEDNESDAY, THE 13<sup>TH</sup>  
 )  
JUSTICE HAINEY ) DAY OF NOVEMBER, 2019  
 )



BETWEEN:

CANADIAN IMPERIAL BANK OF COMMERCE

Plaintiff

- and -

SIMRANJIT DHILLON, MANDHIR DHILLON, SARBJIT DHILLON, MANDEEP DHILLON, 908593 ONTARIO LIMITED, OPERATING AS EAGLE TRAVEL PLAZA, 1393382 ONTARIO LIMITED, 2145744 ONTARIO LIMITED, 2145754 ONTARIO LIMITED, 1552838 ONTARIO INC., 2189788 ONTARIO INC., 2123618 ONTARIO LIMITED, 1849722 ONTARIO LTD., 2469244 ONTARIO LIMITED, 2364507 ONTARIO LIMITED, 1254044 ONTARIO LIMITED AND 2612550 ONTARIO LIMITED

Defendants

APPLICATION UNDER Section 243 of the *Bankruptcy and Insolvency Act*, R.S.C 1985, c. B-3, and Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43.

**ORDER**

THIS MOTION brought by BDO Canada Limited (“**BDO**”) for an Order pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended directing Bank of Montreal (“**BMO**”) to provide to the Receiver the Transaction Information (as defined below) was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the report of BDO dated October 18, 2019 and the Appendices thereto, the report of BDO dated November 11, 2019 (the “**Fourth Report**”) and the Appendices thereto

and on hearing the submissions of counsel for BDO, BMO, and such other counsel as were present, no one appearing for any other person on the service list although duly served as appears from the affidavit of service of Kathryn Esaw sworn November 13, 2019.

**SERVICE**

1. THIS COURT ORDERS that the time for service of the Notice of Motion and the Motion is hereby abridged and validated so that this application is properly returnable today and hereby dispenses with further service thereof.

**PROVISION OF TRANSACTION INFORMATION**

2. THIS COURT ORDERS AND DIRECTS BMO to provide to BDO the information listed in Appendix G to the Fourth Report in BMO's possession (the "**Transaction Information**") for the months of July, August and September, on or before November 15, 2019.

3. THIS COURT ORDERS AND DIRECTS BMO to provide to BDO the information listed in Appendix G to the Fourth Report in BMO's possession (the "**Transaction Information**") for the months of October, November and December 2019 as soon as reasonably possible.

4. THIS COURT ORDERS AND DIRECTS that in the event BDO requires Transaction Information for any periods prior to July 1, 2019, BMO may provide such information in accordance with this order. Either BMO or BDO may seek further advice and directions from this Court regarding the provision of additional Transaction Information and/or timeline upon which additional Transaction Information shall be made.


**GENERAL**

5. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this

Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

NOV 14 2019

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PER / PAR: 



CANADIAN IMPERIAL BANK OF COMMERCE

Plaintiff

and

SIMRANJIT DHILLON et al.

Defendants

Court File No. CV-19-00629058-00CL

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**ONTARIO  
SUPERIOR COURT OF JUSTICE  
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PROCEEDING COMMENCED AT  
TORONTO

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**ORDER**

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*Lawyers for BDO Canada Limited in its capacity as the court-appointed Receiver of 908593 Ontario Limited, operating as Eagle Travel Plaza, et al.*