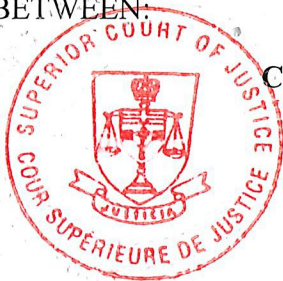


**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) MONDAY, THE 16TH DAY
)
JUSTICE HAINEY) OF DECEMBER, 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 LIMITED, 2469244 ONTARIO LIMITED, 2364507 ONTARIO LIMITED, 1254044 ONTARIO LIMITED and 2612550 ONTARIO LIMITED

Defendants

**ORDER
(Re Collections Process)**

THIS MOTION, brought by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”), of the assets, undertakings and properties of 908593 Ontario Limited, operating as Eagle Travel Plaza, 1393382 Ontario Limited, 2145744 Ontario Limited, 2145754 Ontario Limited, 2123618 Ontario Limited, 1849722 Ontario Limited, 2469244 Ontario Limited, 2364507 Ontario Limited, and 2612550 Ontario Limited, for an Order approving a process (the “**Collections Process**”) by which collections agencies will bid on the opportunity to purchase the right to collect, or to assist the

Receiver in collecting, certain of the uncollected accounts receivable of the Debtors to date (such accounts receivable, the “**Uncollected Accounts Receivable**”), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Fifth Report of the Receiver dated November 26, 2019 (the “**Fifth Report**”) and the appendices thereto, and on hearing the submissions of counsel for the Receiver 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 Bradley Cook sworn November 26, 2019, filed:

SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the notice of motion and the motion record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

COLLECTIONS PROCESS

2. **THIS COURT ORDERS** that the Collections Process set out in the Fifth Report be and is hereby approved, and that the Receiver is hereby authorized to carry out the Collections Process and may, at its discretion, enter into an agreement (i) for the purchase of the right to collect the Uncollected Accounts Receivable, or (ii) for the provisions of services to assist the Receiver in collecting the Uncollected Accounts Receivable.

3. **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.

GENERAL

4. **THIS COURT ORDERS** that, save and except for any gross negligence or wilful misconduct on its part, the Receiver shall not have any personal or corporate liability in connection with the Collections Process, including, without limitation:

- (a) by advertising either or both the accounts receivable and the Collections Process, if at all, including, without limitation, the opportunity to acquire all or a portion of the accounts receivable;
- (b) by exposing or not exposing the accounts receivable to any and all parties, including, without limitation, those which have made their interest known to the Receiver;
- (c) by carrying out the Collections Process;
- (d) by responding to any and all requests or enquiries in regards to due diligence conducted in respect of the accounts receivable;
- (e) through the disclosure of any and all information presented by any of the Receiver, its solicitors and its agents, arising from, incidental to or in connection with the Collections Process;
- (f) pursuant to any and all offers received by the Receiver in accordance with the Collections Process; and

- (g) pursuant to any agreements entered into by the Receiver in respect of the sale of any of the accounts receivable.



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PER / PAR: 

CANADIAN IMPERIAL BANK OF COMMERCE

- and -

SIMRANJIT DHILLON ET AL.

Plaintiff

Defendants

Court File No. CV-19-00628293-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceedings commenced at Toronto

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.