

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**



IN THE MATTER OF Section 101 of the
Courts of Justice Act and Section 243 of the *Bankruptcy and Insolvency Act*

THE HONOURABLE

)

TUESDAY, THE 20th

)

JUSTICE DIETRICH

)

DAY OF OCTOBER, 2020

BETWEEN:

CENTURION MORTGAGE CAPITAL CORPORATION

Applicant

-and-

1001 BROADVIEW AVENUE INC.

Respondent

ORDER

(Administration and Interim Distribution)

THIS MOTION made by the BDO Canada Limited ("**BDO**"), in its capacity as the Court-appointed receiver and manager (the "**Receiver**") of the of the Property municipally known as 995-1001, 1003 & 1005 Broadview Avenue, Toronto, Ontario and 2 & 4 Mortimer Avenue, Toronto, Ontario (collectively the "**Property**"), for the relief set out in the Notice of

Motion dated October 9, 2020, including the approval of the sale transaction (the "**Transaction**") contemplated by an Asset Purchase Agreement between the Receiver in its capacity as Receiver of the Property and 2774179 Ontario Inc. (the "**Purchaser**") dated September 23, 2020 (the "**Sale Agreement**"), and vesting in the Purchaser 1001 Broadview Avenue Inc.'s right, title, benefit and interest in the assets described in the Sale Agreement was heard this day by videoconference as a result of the Covid-19 pandemic.

ON READING the Motion Record of the Receiver and the Second Report of the Receiver dated October 9, 2020 (the "**Receiver's Second Report**"), the Confidential Supplemental Report of the Receiver dated October 9, 2020 (the "**Confidential Supplemental Report**"), the Affidavit of Irving Marks sworn October 9, 2020 (the "**Robins Fee Affidavit**") and the Affidavit of Josie Parisi sworn October 8, 2020 (the "**BDO Fee Affidavit**") and on hearing the submissions of counsel for the Receiver and any such other counsel or individual as were present, no one appearing for any other person on the service list, although properly served as evidenced by the Affidavit of Wendy Lee sworn October 13, 2020, filed.

SERVICE

1. **THIS COURT ORDERS** that the time for service 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 hereof.

DISTRIBUTIONS

2. **THIS COURT ORDERS** that the Receiver is hereby authorized to make distributions to Centurion Mortgage Capital Corporation in accordance with paragraph 30 of the Receiver's Second Report.

SEALING

3. **THIS COURT ORDERS** that the Confidential Supplemental Report is hereby sealed until the closing of the Transaction or upon further order of the Court.

APPROVAL OF ACTIVITIES

4. **THIS COURT ORDERS** that the activities of the Receiver as described in the Receiver's Second Report are hereby approved.

APPROVAL OF RECEIVER' FEES AND EXPENSES

5. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as described in the Receiver's Second Report, the BDO Fee Affidavit and the Robins Fee Affidavit are hereby approved.

Dietrich J

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

OCT 21 2020

PER / PAR:

pl

**CENTURION MORTGAGE
CAPITAL CORPORATION**

- and -

1001 BROADVIEW AVENUE INC.

Applicant

Respondent

Court File No.: CV-20-00643617-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT TORONTO

ORDER

(Administration and Interim Distribution)

ROBINS APPLEBY LLP

Barristers + Solicitors
2600 - 120 Adelaide Street West
Toronto, ON M5H 1T1

Dominique Michaud LSO No.: 56871V

dmichaud@robapp.com
Tel: (416) 360-3795

Joseph Jamil LSO No.: 74614L

jjamil@robapp.com
Tel: (416) 360-3783
Fax: (416) 868-0306

Lawyers for the Receiver, BDO Canada Limited