

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN BANKRUPTCY AND INSOLVENCY**

THE HONOURABLE **MR.**

)

FRIDAY, THE 6<sup>TH</sup>

JUSTICE **PATTILLO**

)

DAY OF DECEMBER, 2019

)



**IN THE MATTER OF THE PROPOSAL OF 1482241 ONTARIO LIMITED, OF THE  
CITY OF TORONTO, IN THE PROVINCE OF ONTARIO**

**ORDER**

**THIS MOTION**, made by Crowe Soberman Inc., in its capacity as the proposal trustee (in such capacity, the “**Proposal Trustee**”) of 1482241 Ontario Limited (the “**Debtor**”), for an order, *inter alia*, (a) approving the ninth report of the Proposal Trustee dated December 2, 2019 (the “**Ninth Report**”) and the activities of the Proposal Trustee described therein; (b) approving a process to address the Debtor’s objections to certain of the claims filed in the proceeding, as set out in the Ninth Report; and (c) approving the fees and disbursements of the Proposal Trustee, the Proposal Trustee’s counsel, and the Debtor’s counsel, was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Ninth Report and the appendices thereto, the fee affidavit of Hans Rizarri sworn December 2, 2019 (the “**Rizarri Affidavit**”), and the fee affidavit of Ian Aversa sworn December 2, 2019 (the “**Aversa Affidavit**”), and on hearing the submissions of counsel for the Proposal Trustee, counsel for the Debtor and such other counsel as were present, no one

appearing for any other person on the service list, although properly served as appears from the affidavit of service of Miranda Spence sworn December 3, 2019, filed,

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 thereof.

2. **THIS COURT ORDERS** that the Ninth Report and the activities of the Proposal Trustee described therein be and are hereby approved.

3. **THIS COURT ORDERS** that the Proposal Trustee is hereby authorized to make the following distributions to creditors from the Sale Proceeds, without further Order of the Court:

- (a) the sum of \$199,934.53 to Toronto Hydro;
- (b) the sum of \$26,375.57 to Canada Revenue Agency;
- (c) the sum of \$3,197.25 to the City of Toronto; and
- (d) such further and other amounts as may be agreed to, in writing, by each of the Proposal Trustee, the Debtor and the applicable creditor.

4. **THIS COURTS ORDERS** that the Proposal Trustee is hereby authorized to make a distribution from the Sale Proceeds to the Debtor, in the sum of \$350,000.

5. **THIS COURT ORDERS** that the fees and disbursements of the Proposal Trustee as described in the Ninth Report and as set out in the Rizarri Affidavit, be and are hereby approved, and the Proposal Trustee is hereby authorized to pay such fees from the Sale Proceeds.

6. **THIS COURT ORDERS** that the fees and disbursements of the Proposal Trustee's counsel as described in the Ninth Report and as set out in the Aversa Affidavit, be and are hereby approved, and the Proposal Trustee is hereby authorized to pay such fees from the Sale Proceeds.

7. **THIS COURT ORDERS** that the fees and disbursements of the Debtor's counsel as described in the Ninth Report, be and are hereby approved, and the Proposal Trustee is hereby authorized to pay such fees from the Sale Proceeds.

*8. THIS COURT ORDERS that the process for the adjudication of the Disputed Creditors' claims set out at paragraph 17 of the Ninth Report be and is hereby approved.*

*9. This Court Orders that further scheduling of the claims process set for January 17, 2020 (1/2 hour).*

*Antonio J.*

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
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**IN BANKRUPTCY AND INSOLVENCY  
Proceedings commenced at Toronto**

**ORDER**

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