

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MADAM) THURSDAY, THE 18TH
)
JUSTICE GILMORE) DAY OF NOVEMBER, 2021
)

B E T W E E N:

DONALD DAL BIANCO

Applicant

- and -

DEEM MANAGEMENT SERVICES LIMITED and
THE UPTOWN INC.

Respondents

APPLICATION UNDER Section 243(1) of the *Bankruptcy and Insolvency Act* and
Section 101 of the *Court of Justice Act*

ORDER
(approval of reports and fees)

THIS MOTION made by Crowe Soberman Inc in its capacity as receiver
(the “**Receiver**”) of the property known municipally as 215 and 219 Lexington Road,
Waterloo, Ontario N2K 2E1 (the “**Real Property**”), the assets and undertakings of Deem
Management Services Limited (“**Deem Management**”) related to the Real Property, and the
property, assets and undertakings of the Uptown Inc., was heard this day at 330 University
Avenue, Toronto, Ontario, by videoconference due to the COVID-19 pandemic.

ON READING the Receiver's fourth report dated April 9, 2021 (the "**Fourth Report**") and the supplement to the Fourth Report dated November 11, 2021 (the "**Supplement**"), and the affidavits of fees of R. Brendan Bissell and Hans Rizarri respectively sworn on April 9 and 8, 2021 and appended to the Fourth Report, and the affidavits of fees of Joël Turgeon sworn November 12, 2021 and Han Rizarri sworn November 11, 2021 and appended to the Supplement (together, the "**Fee Affidavits**"), and on hearing the submissions of counsel for the Receiver and such other counsel present as indicated on the counsel slip, no one else appearing although duly served as appears from the affidavit of service, filed:

1. **THIS COURT ORDERS** that service of the motion materials in respect of the herein motion as well as the Fourth Report and the Supplement is hereby validated in all respects such that this motion was properly returnable today, and dispenses with further service thereof.
2. **THIS COURT ORDERS** that the Fourth Report and the Supplement, as well as the activities described therein, be and are hereby approved, provided, however, that only (i) the Receiver and (ii) Crowe Soberman Inc. in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.
3. **THIS COURT ORDERS** that the professional fees and disbursements of the Receiver and its independent legal counsel, Goldman Sloan Nash & Haber LLP, in the total amount set out in the Fee Affidavits, be and are hereby approved.

4. **THIS COURT ORDERS** that the Receiver pay all such fees and disbursements from available funds.

5. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or 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, to grant representative status to the Receiver in any foreign proceeding, or to assist the Receiver and its agents in carrying out the terms of this Order.

6. **THIS COURT ORDERS** that this Order is effective from its date and does not need to be issued and entered.

A handwritten signature in blue ink, appearing to read "C. Monroe, Jr." The signature is fluid and cursive, with "C." and "Jr." being the most distinct parts.

DONALD DAL BIANCO

Applicant

and

**DEEM MANAGEMENT SERVICES LIMITED and THE
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