

ON READING the Third Report of the Receiver dated January 5, 2016 (the "Third Report") and the Appendices thereto, and on hearing the submissions of counsel for the Receiver and other counsel listed on the Counsel Slip, no one else from the service list appearing although duly served as appears from the affidavit of service of Antoinette DePinto sworn January 6, 2015, filed,

APPROVAL OF THIRD REPORT AND THE RECEIVER'S ACTIVITIES

1. THIS COURT ORDERS that the Third Report, and the conduct and activities of the Receiver as described therein, be and are hereby approved.

APPROVAL OF INTERIM DISTRIBUTION

2. THIS COURT ORDERS that the Receiver is hereby authorized and directed to make an interim distribution of \$1.6 million to The Toronto-Dominion Bank.

RETURN OF BMW

3. THIS COURT ORDERS that Mr. David Gottardo and/or Mr. Bruno Gottardo shall forthwith deliver to the Receiver the 2000 BMW, VIN WBAGH8344YDP05986 that is in their possession or control.

APPROVAL OF FEES AND DISBURSEMENTS

4. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, Chaitons LLP, as set out in the Third Report, the Affidavit of Josie Parisi sworn December 22, 2015, and the Affidavit of Sam Rappos sworn January 5, 2016, be and are hereby approved.

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

JAN 15 2016



THE TORONTO-DOMINION BANK

Applicant

- and -

B. GOTTARDO CONSTRUCTION LTD. ET AL.

Respondents

Court File No. CV-15-11054-00CL

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

Proceedings commenced at TORONTO

ORDER

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**Lawyers for the Receiver, BDO Canada
Limited**

January 15, 2016

I am satisfied with the

IR report and the exhibit

that is appropriate in the

circumstances. The

regarding the joint venture

and does meet the criteria

admitted since the to permit

the certificate of

and awards are

his services.

Order to issue in

from signed by

[Signature]

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceedings commenced at Toronto

MOTION RECORD

(returnable January 15, 2016)

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Court-appointed Receiver

