

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE *MR.* )  
JUSTICE *PATILLO* )

FRIDAY, THE 1<sup>st</sup> DAY  
OF JUNE, 2018

**B E T W E E N:**

**THE TORONTO-DOMINION BANK**

Applicant

- and -

**B. GOTTARDO CONSTRUCTION LTD. AND  
B. GOTTARDO SITE SERVICING LIMITED**

Respondents



APPLICATION UNDER SUBSECTION 243(1) OF *THE BANKRUPTCY AND INSOLVENCY ACT*, R.S.C 1985, c. B-3 AS AMENDED AND SECTION 101 OF *THE COURTS OF JUSTICE ACT*, R.S.O 1990, c. C. 43, AS AMENDED

**ORDER**  
(City Settlement Approval)

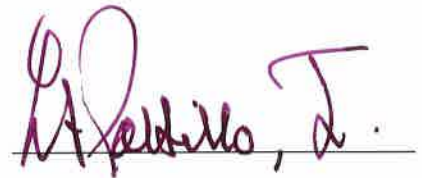
**THIS MOTION** made by BDO Canada Limited, in its capacity as Court-appointed receiver (the “**Receiver**”) of the property, assets and undertakings of B. Gottardo Construction Ltd. and B. Gottardo Site Servicing Limited (collectively, the “**Debtors**”), for an order:

- (a) validating service of the Receiver’s Motion Record, including the Receiver’s Ninth Report to the Court dated May 27, 2018 (the “**Ninth Report**”); and
- (b) approving the Minutes of Settlement between the Receiver and the Corporation of the City of Mississauga (the “**City**”) a copy of which is attached to the Ninth Report as Appendix H (the “**Minutes of Settlement**”),

was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Ninth 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 May 28, 2018, filed,

1. **THIS COURT ORDERS** that the time for service of the Receiver's Notice of Motion and 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 Minutes of Settlement be and hereby are approved.



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

JUN - 1 2018

PER / PAR:



**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**  
(City Settlement Approval)

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