

ONTARIO
SUPERIOR COURT OF JUSTICE

S.C.J. Court File No.: 35-2481393

Trustee: BDO Canada Ltd. Counsel: Melinda Vine

Creditor: Ayerswood Development Corp. Counsel: Scott Turton

Date: September 10, 2020

ENDORSEMENT

**IN THE MATTER OF THE BANKRUPTCY OF SIRIUS CONCRETE INC. OF THE CITY OF
WATERLOO, IN THE PROVINCE OF ONTARIO**

The Trustee's motion seeking directions from the court has been conditionally scheduled to proceed on November 18, 2020 at 10a.m. It's motion and factum have already been served and filed. At the request of Ayerswood's counsel, Mr. Turton, we are here today for a Case Conference. As I understand it, Mr. Turton has to this point been somewhat unclear as to what specific directions the Trustee will be seeking and what form the hearing would take (i.e. will it involve a question(s) of law only, or are affidavits and cross-examinations required). He also raises a jurisdictional question arguing that what should happen with the disputed funds should be addressed in the outstanding construction lien litigation in Guelph.

Apart from any jurisdictional question Ayerswood may raise at the Special Appointment, it appears as though the parties are now ready to proceed on November 18th. Counsel have also confirmed that the time allotted is sufficient. In light of that, this is my direction:

1. November 18th, 2020 special appointment is confirmed. The parties will be ready to proceed. 3 hours required.
2. Ayerswood to file responding material on or before October 9, 2020.
3. BDO to file a reply, if any, on or before October 23, 2020.



Justice J.C. George