

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE ) THURSDAY, THE 3<sup>RD</sup> DAY OF  
JUSTICE GILMORE )  
) SEPTEMBER, 2020.

B E T W E E N:

**ROYAL BANK OF CANADA**

Applicant

**and**

**D.M. ROBICHAUD ASSOCIATES LTD.**

Respondent

**O R D E R**

**THIS MOTION**, made by BDO Canada Limited (“**BDO**”) in its capacity as Court Appointed Receiver of all of the assets, undertakings and properties of D.M. Robichaud Associates Ltd. (“**DMR**”) was heard this day by way of judicial teleconference via Zoom due to the COVID-19 crisis, at Toronto, Ontario

**UPON READING** the Notice of Motion of BDO, the Fourth Report to the Court of BDO dated June 25, 2020 (the “**Fourth Report**”), the Supplement to the Fourth Report dated August 6, 2020 (the “**Supplemental Report**”), the Affidavit of Brad Newton sworn June 16, 2020 and the Affidavit of Kenneth L. Kallish sworn June 15, 2020 (the “**Fee Affidavits**”), and upon hearing submissions of

counsel for the Receiver, \_\_\_\_\_, no one else appearing although properly served, as appears from the Affidavit of Hayley Morgan sworn August 13, 2020, filed,

1. **THIS COURT ORDERS** that the time for service and filing 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 activities described in the Fourth Report are hereby approved.
3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel, Minden Gross LLP, as described in the Fourth Report and the Fee Affidavits are hereby approved and payment is authorized from the Estate accounts.
4. **THIS COURT ORDERS** that the proposed distribution of the funds held by BDO as detailed in Section 9 of the Fourth Report and the Supplementary Report are hereby approved and authorized.
5. **THIS COURT ORDERS** that the Interim Statement of Receipts and Disbursements for the period ending June 15, 2020 as detailed in the Fourth Report is hereby approved.

6. **THIS COURT ORDERS** that the following payments shall be made to the Receiver pursuant to the Claims Procedure Order of Justice Hainey dated May 3, 2019:

| <b>Customer</b>                     | <b>Amount Owing</b> |
|-------------------------------------|---------------------|
| Town of Oakville                    | \$539.99            |
| Balterre Contracting Ltd.           | \$8,000.00          |
| Greenville Homes (Cedar Ridge) Inc. | \$24,662.25         |
| Medulla Waste and Recycling Corp.   | \$11,538.58         |
| Southland Mole of Canada Ltd.       | \$64,686.58         |

7. **THIS COURT ORDERS** that the Receiver's disallowance of the priority claim of the Saertex MultiCom LP is confirmed and it will be allowed to file an unsecured claim in the bankruptcy of DMR.



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B E T W E E N :

ROYAL BANK OF CANADA  
Applicant

-and-

D.M. ROBICHAUD ASSOCIATES LTD.  
Respondent

Court File No. CV-19-615922-00CL

***ONTARIO***  
**SUPERIOR COURT OF JUSTICE**  
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Proceeding commenced at TORONTO

**ORDER**

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