

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE ) WEDNESDAY, THE 16<sup>th</sup> DAY OF  
JUSTICE *DIETRICH* )  
) OCTOBER, 2019.

BETWEEN:



**ROYAL BANK OF CANADA**

Applicant

and

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

Respondent

**ORDER**

**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. (“**Robichaud**”) was heard this day at 330 University Avenue, Toronto, Ontario.

**UPON READING** the Notice of Motion of BDO, the Second Report to the Court of BDO dated September 27, 2019, the Supplementary Report dated October 8, 2019, the Affidavit of Brad Newton sworn September 23, 2019 and the Affidavit of Kenneth L. Kallish sworn September 20, 2019 (the “**Fee Affidavits**”), and upon hearing submissions of counsel for the Receiver, Royal Bank of Canada,

*TRISURA GUARANTEE INSURANCE COMPANY, L.L.C. LOCAL 183*

*ds*

*ds*

no one else appearing although properly served, as appears from the Affidavit of Hayley Morgan sworn October 3, 2019, filed,

1. **THIS COURT ORDERS** that the activities described in the Second Report and the Supplementary Report are hereby approved.
2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel, Minden Gross LLP, as described in the Second Report and the Fee Affidavits are hereby approved and payment is authorized from the Estate accounts.
3. **THIS COURT ORDERS** that the proposed distribution of the funds held by BDO and the allocation of Estate costs, fees and disbursements as detailed in the BDO report are hereby approved and authorized.
4. **THIS COURT APPROVES AND AUTHORIZES** the setoff by Royal Bank of Canada of the amounts deposited in the company's United States dollar bank account and the amounts wired into the company's bank account after the appointment of BDO as Interim Receiver.
5. **THIS COURT ORDERS** that the Interim Statement of Receipts and Disbursements for the period ending September 17, 2019 as detailed in the BDO report is hereby approved.
6. **THIS COURT ORDERS AND DIRECTS** that the Municipality of Richmond Hill, the Town of Oakville and the Town of Lakeshore make payment of the following undisputed amounts owing to Robichaud to BDO:

- i. Richmond Hill: \$198,366.93 (Contract # RFQ-89-17) and \$119,763.00 (Contract # RFQ-49-15);
- ii. Town of Oakville: \$200,989.35; and
- iii. Town of Lakeshore: \$33,185.82.

*Christine J.*

---

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

OCT 17 2019

PER / PAR: *RW*

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**  
**COMMERCIAL LIST**

Proceeding commenced at TORONTO

**ORDER**

**MINDEN GROSS LLP**  
145 King Street West, Suite 2200  
Toronto ON M5H 4G2

**Raymond M. Slattery** (LSO #20479L)  
416-369-4149  
416-864-9223 fax

[Rslattery@mindengross.com](mailto:Rslattery@mindengross.com)

**Kenneth L. Kallish** (LSO #23093E)  
416-369-4124

[kkallish@mindengross.com](mailto:kkallish@mindengross.com)  
416-864-9223 fax

Lawyers for BDO Canada Limited