

**Endorsement - CV-19-615922-00CL**

The Parties disagree concerning the appropriateness of a receiver's charge over trust property and any alleged derogation of rights under the Construction Act.

Trisura, the bonding company, and LIUNA, Local 183, the union, do not oppose the Bank's request for an order creating a new borrowing charge in the amount of \$150,000 for the Interim Receiver securing only the proceeds paid to the Interim Receiver in respect of the two projects for the Town of Richmond Hill on which the Debtor continues to perform work, being projects RFQ-49-15 and RFQ-89-17 ("**Richmond Hill Projects**"), and the proceeds of this additional borrowing will be used primarily to fund the completion of these projects (which is primarily employees' Wages and Monetary Supplementary Benefits, as those terms are defined in the *Construction Act*).

No further funds will be borrowed by the Interim Receiver under the terms of any previous charges granted in favour of the Interim Receiver granted pursuant to the orders dated March 13, 2019 and March 15, 2019 ("**Previous Charges**"). The stakeholders are free to advance any motion to challenge the priority of the Previous Charges on April 24, 2019.

The Interim Receiver's conduct as described in its report of March 21, 2019 is hereby approved.

Order to issue in the form approved by the parties. Except as expressly noted regarding the Interim Receiver's Second Borrowings Charge in relation to the proceeds of the Richmond Hill Projects, this Order and Endorsement are without prejudice to any claims of any trust beneficiaries to any trust property which has been, is, or may be held by the Debtor, or the Interim Receiver.

The Bank's application to appoint a full Receiver is adjourned to April 24 for two hours.

March 24, 2019 