

Court File Number: CV-16-011424-CL

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

EMMANUEL VILLAGE RESIDENCES INC et al

Plaintiff(s)

AND

1250 WEBER ST. W. KAPRENEER

Defendant(s)

Case Management Yes No by Judge: _____

Counsel	Telephone No:	Facsimile No:
<i>See attached slip.</i>		

- Order Direction for Registrar (No formal order need be taken out)
 Above action transferred to the Commercial List at Toronto (No formal order need be taken out)
 Adjourned to: _____
 Time Table approved (as follows):

<u>November 1, 2016</u>
A mediation session was held today to move this matter forward. What flows from this is as follows:
1. The ASO will draw up documentation for execution by Mr. & Mrs. Henking, who apparently are prepared to give up any rights to the proceeds of the

Date

Judge's Signature

Additional Pages 1 of 2

Court File Number: _____

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Judges Endorsement Continued

1. Sale of the assets of EVR. The draft documentation will be circulated for comment and then provided to Mr + Mrs Henking for signature. See attached affidavit of Mr. Henking.

2. The receiver will attempt through Mr. Henking and the purchaser to get information on the credits of EVR at the time of the sale. The receiver will provide the information to the parties and the court.

3. The issue of the \$150,000 paid to Mrs Henking is being resolved on a consensual basis. A consent order can be provided to the court for signing. The November 21, 2016 date scheduled for the court is vacated.

4. A further mediation session may be scheduled if required, on a 9:30 am. appointment if appropriate.


Affidavit of Bryan Hunking

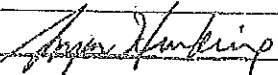
I, Bryan Hunking, of the Town of Joyceville, Province of Ontario, make oath and say as follows:

1. I am the President of Emmanuel Village Residence Inc. ("EVR").
2. I am aware that the sale of the assets of EVR to Revera Inc. is scheduled to close on October 3, 2016.
3. I am advised by EVR's counsel, Tim McEwan, and do verily believe that the Commercial Court has ordered the repayment of certain secured creditors out of the sale proceeds, along with the payment of the fees incurred by the court appointed Receiver and its counsel as well as EVR's litigation counsel and transaction counsel.
4. I have not retained my own counsel to represent me personally in the claims process that will follow the sale.
5. I have not and will not be claiming personally any part of the net sale proceeds of the sale of EVR's assets.
6. I make this Affidavit for no improper purpose

SWORN BEFORE ME AT THE
TOWN OF JOYCEVILLE, PROVINCE
OF ONTARIO ON

SEPTEMBER 27, 2016


Tim McEwan
Commissioner for Taking Affidavits, etc


BRYAN HUNKING

COUNSEL SLIP

COURT FILE NO. CV-16-011424-CL

DATE Nov. 1, 2016

NO ON LIST (1)

TITLE OF
PROCEEDING

EMMANUEL VILLAGE RESIDENCE INC ET
VS
1250 WEBER STREET EAST, KITCHENER ET

COUNSEL FOR:
PLAINTIFF(S)
APPLICANT(S)
PETITIONER(S)

PHONE & FAX NOS

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COUNSEL FOR:
DEFENDANT(S)
RESPONDENT(S)

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