

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE

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FRIDAY, THE 26th

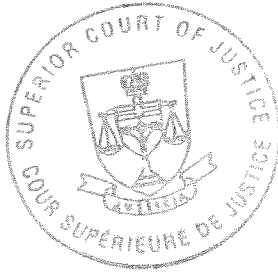
JUSTICE HAINEY

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DAY OF AUGUST, 2016

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BETWEEN:



EMMANUEL VILLAGE RESIDENCE INC.

Applicant

- and -

ATTORNEY GENERAL OF ONTARIO

Applicant

- and -

**1250 WEBER STREET EAST, KITCHENER, ONTARIO OR THE PROCEEDS OF THE
SALE THEREOF (IN REM)**

Respondent

ANCILLARY ORDER

THIS MOTION made by Emmanuel Village Residence Inc. ("**EVR**") for an order:

- a. if necessary, abridging the time for service and filing of this notice of motion and the motion record and dispensing with further service thereof;
- b. approving the second report of BDO Canada Limited, in its capacity as court-appointed receiver of EVR ("**Receiver**"), dated August 18, 2016 (the

"**Second Report**"), filed, and the conduct and activities of the Receiver described therein;

- c. approving the third report of the Receiver (the "**Third Report**") and the confidential supplement to the Third Report (the "**Confidential Report**"), filed, and the conduct and activities of the Receiver described therein;
- d. sealing the Confidential Report with the Court; and
- e. approving the professional fees and disbursements of the Receiver and its counsel, Thornton Grout Finnigan LLP ("**TGF**") as set out in the Third Report;

was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the affidavit of Judith Ann Hunking, sworn August 19, 2016, the Third Report and the Confidential Report, and on hearing the submissions of counsel for the Company, the Receiver, the Purchaser, HMT Holdings Inc., Sure Mortgage Capital Inc., Plaintiffs in Court File No. CV-10-8597-00CL, the Retirement Homes Regulatory Authority, and the Attorney General of Ontario ("**AGO**"), no one appearing for any other person on the service list, although properly served as appears from the affidavit of Jennifer Whincup sworn August 23, 2016 filed,

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF RECEIVERS REPORTS

2. **THIS COURT ORDERS** that ~~the activities of the Receiver, as set out in the Second Report, Third Report and Confidential Report,~~ are hereby approved.



and the conduct and activities of the Receiver described therein,

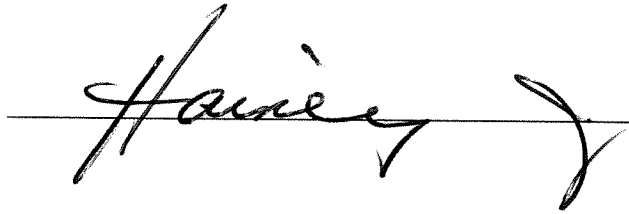
APPROVAL OF FEES

3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver, in the amount of \$47,426.62 for the period of June 24, 2016 to August 12, 2016 as se set out in the Third Report and the Affidavit of Michael J. Hanson, sworn August 22, 2016, are hereby approved.

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's counsel, Thornton Grout Finnigan LLP, in the amount of ~~\$10,000.05~~^{86,974.04} for the period of May 1, 2016 to August 12, 2016 as se set out in the Third Report and the Affidavit of Asim Iqbal, sworn August 22, 2016, are hereby approved. *gt*

SEALING OF CONFIDENTIAL REPORT

5. **THIS COURT ORDERS** the sealing of the Confidential Report with the Court from the public record until further order of this Honourable Court.



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

AUG 26 2016

PER / PAR: *gt*

EMMANUEL - and ATTORNEY - and 1250 WEBER STREET EAST, KITCHENER, Court File No. CV-16-11424-
VILLAGE - GENERAL OF - ONTARIO OR THE PROCEEDS OF THE 00CL
RESIDENCE INC. ONTARIO SALE THEREOF (IN REM)

Applicant

Applicant

Respondent

**SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

ANCILLARY ORDER

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