

Court File No. CV-21-00667395-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

*IN THE MATTER OF Section 101 of the Courts of Justice Act, R.S.O. 1990 c.C.43, as amended,
and in the matter of Section 243(1) of the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3,
as amended*

B E T W E E N:

NATIONAL BANK OF CANADA

Applicant

and

**NIMBUS ENVIRONMENTAL SOLUTIONS INC., OAKDALE ENTERPRISES INC.,
NIMBUS WATER SYSTEMS INC., 365 PRO INSTALLATIONS INC.,
2242462 ONTARIO LIMITED and WATER FILTER CART INC.**

Respondents

MOTION RECORD OF THE BANK OF NOVA SCOTIA

January 14, 2022

**KRONIS, ROTSZTAIN,
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11th Floor, 25 Sheppard Avenue West
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Lawyers for The Bank of Nova Scotia

TO: THIS HONOURABLE COURT**AND TO: THE SERVICE LIST**

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INDEX

Document	Tab No.
Affidavit of Stephon Mark.....	1
Exhibit "A" – Chart	A

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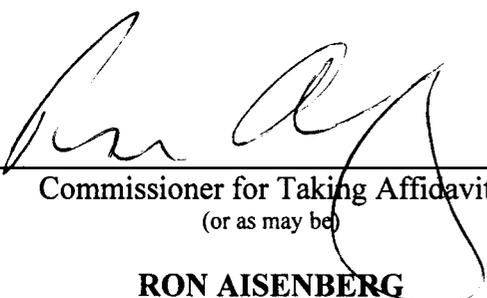
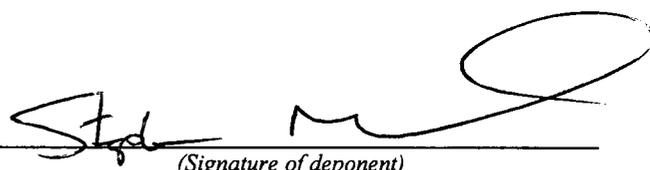
AFFIDAVIT OF STEPHON MARK

I, Stephon Mark, of the City of Oshawa, in the Regional Municipality of Durham, MAKE
OATH AND SAY:

1. I am employed as Senior Manager, Repossessions Process, by The Bank of Nova Scotia (“Scotiabank”), and, as such, have knowledge of the matters contained in this Affidavit.
2. The Receiver has determined that Scotiabank has priority for 10 vehicle liens (“the Scotiabank Liens”). Attached hereto as Exhibit “A” is a chart prepared by myself and my colleague. The chart lists the Scotiabank Liens. Column “E” shows the pay off amounts totaling \$108,217.73. (These amounts are the same amounts, but in different order as listed in Schedule “A” to the draft order, page 119 of the Receiver’s Motion Record). Column “F” is entitled “BBV”

which stands for Black Book values. The current Black Book values of the subject vehicles total \$232,050. (The Black Book is a recognized industry source for used vehicle valuations).

SWORN BEFORE ME at the City of Toronto, in the Province of Ontario, on January 14, 2022.

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Commissioner for Taking Affidavits (or as may be) (Signature of deponent)
RON AISENBERG

This is Exhibit "A" referred to in the Affidavit of Stephon Mark
sworn January 14, 2022.



Commissioner for Taking Affidavits (or as may be)

RON AISENBERG

A	B	C	D	E	F	G
Product	BNS SPL Loan #	VIN #	Original Loan Date and Balance	Pay Off Amount	BBV	Per Diem per day (\$)
Scotia Plan Loan	364266471662	1GTW7G8A4E1184803	Loan date- 2015/08/25-Original balance-\$36,205.28, \$532.91 Monthly on the 25th.	\$ 7,697.00	\$ 15,400.00	1.57
Scotia Plan Loan	364266876372	1GTW7AFFG1168964	Loan date- 2016/10/14-Original balance-\$32,663.20, \$616.10 Monthly on the 14th.	\$ 2,150.33	\$ 21,500.00	0.31
Scotia Plan Loan	364266876413	1GTW7AFF3G1191960	Loan date- 2016/10/14-Original balance-\$32,663.20, \$616.10 Monthly on the 14th.	\$ 2,150.33	\$ 21,500.00	0.31
Scotia Plan Loan	364267018175	1GCWGBFFXG1195798	Loan date- 2017/03/31 -Original balance-\$32,871.12, \$620.02 Monthly on the 1st.	\$ 5,923.74	\$ 23,750.00	1.01
Scotia Plan Loan	364267020211	1GCWGBFF9G1234610	Loan date- 2017/03/31 -Original balance-\$32,871.12, \$620.02 Monthly on the 1st.	\$ 6,533.92	\$ 23,750.00	1.12
Scotia Plan Loan	364267316484	1C8JWEG4JL825117	Loan date- 2017/12/29 -Original balance-\$53,995.26, \$1,042.37 Monthly on the 1st.	\$ 18,313.08	\$ 44,450.00	3.76
Scotia Plan Loan	364267764364	2C4RDGBG4KR669704	Loan date- 2019/05/13 -Original balance-\$27,262.99, \$525.68 Monthly on the 13th.	\$ 17,207.45	\$ 26,400.00	3.52
Scotia Plan Loan	364267962305	2C4RDGBG3KR762245	Loan date- 2019/10/23 -Original balance-\$27,300.93, \$526.41 Monthly on the 23rd.	\$ 19,465.75	\$ 26,400.00	4.04
Scotia Plan Loan	520437684098	5XYZUDL84DG105088	Loan date- 2019/02/04 -Original balance-\$20,001.02, \$386.58 Monthly on the 4th.	\$ 11,879.46	\$ 13,150.00	2.42
Scotia Plan Loan	520438196381	2GNFLGE37F6101914	Loan date- 2020/08/27 -Original balance-\$18,643.76, \$359.48 Monthly on the 27th.	\$ 16,896.67	\$ 15,750.00	3.44
TOTAL LOAN OWING						

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Lawyers for The Bank of Nova Scotia

Our File No. 129087

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