

Advisor dated June 27, 2017 (the "**Report**") and for other relief, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion herein, the affidavit of Dale Alexander sworn July 4, 2017 and the exhibits thereto and the Report, and on hearing the submissions of counsel for Carriere and DiBrina and BDO.

1. **THIS COURT ORDERS** that the costs payable by TD Bank to Carriere and DiBrina following the trial of this Application/Action are fixed at \$186,674.00, on account of fees, disbursements and HST, which amount is to be payable by TD Bank to Caldwell Barristers in Trust;
2. **THIS COURT ORDERS THAT** the fees, disbursements and HST incurred by Carriere and DiBrina in this Application/Action and in ancillary and related proceedings totalling \$356,860.66 are hereby approved;
3. **THIS COURT ORDERS** BDO to pay \$170,186.66 to Caldwell Barristers in Trust on account of the fees, disbursements and HST incurred or that will be incurred by Carriere and DiBrina;
4. **THIS COURT ORDERS** that the Report is hereby approved;
5. **THIS COURT ORDERS** that the Statement of Receipts and Disbursements attached as Appendix XV to the Report and in particular, the fees and disbursements of BDO are hereby approved;
6. **THIS COURT ORDERS** that the fees and disbursements of BDO's counsel set out in Appendix XVII to the Report is hereby approved;
7. **THIS COURT ORDERS** that BDO is authorized to distribute the funds remaining in its hands after the payment of the money set out in paragraphs 3, 5 and 6 hereof, to the claimants (as such term is defined in the Report) on a pro rata basis in the manner set out in Appendix VII to the Report;

8. **THIS COURT ORDERS** that BDO is authorized to return to Court for further directions in the event that distributions of more than \$5,000 in total cannot be made to those of the Clients that BDO is unable to locate; and
9. **THIS COURT ORDERS** that BDO shall be discharged as Interpleaded Fund Advisor on the issuance by it of a certificate filed with the Court confirming that its obligation to distribute funds as provided herein has been completed.

W. Nam - M. J.

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at TORONTO

ORDER

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