



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-24-00729834-00CL

DATE: April 8 2025

NO. ON LIST: 1

TITLE OF PROCEEDING: CANADIAN WESTERN BANK v. 8438048 CANADA INC

BEFORE: JUSTICE CONWAY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Jeremy Bornstein	Counsel for the Applicant, Canadian Western Bank	jbornstein@cassels.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Patrick Di Monte	Counsel for the Respondent, 8438048 Canada Inc.	patdimonte@on.aibn.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Jennifer L. Caruso Dylan Chochla	Counsel for the Receiver, BDO Canada Limited	jcaruso@fasken.com dchochla@fasken.com

ENDORSEMENT OF JUSTICE CONWAY:

- [1] The Receiver's contempt motion commenced before me today. During the hearing and with the court's input, counsel agreed on terms that would result in a practical resolution of the issues with respect to the "Missing Vehicles" (as defined in the order).

- [2] Counsel have now provided me with a draft of a consent order that incorporates those terms. The order is acceptable to me and I have signed it. Order to go as signed by me and attached to this Endorsement. This order is effective from today's date and is enforceable without the need for entry and filing.
- [3] Paragraph 3 of the order states “if the Respondents fail to comply with paragraph 2 of this Order, the hearing of the motion, will proceed on May 20, 2025, subject to the availability of the Court, which shall be preemptory on the Respondents. The parties shall advise the Court if the hearing date is no longer required.”
- [4] Accordingly, if this matter does not resolve in accordance with the terms of the consent order, the motion will resume before me on **May 20, 2025 at 10 a.m. (in person, half day, confirmed with the Commercial List office).**

A handwritten signature in blue ink that reads "Conway J." with a stylized flourish at the end.