

Court File No. CV-25-00000286-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

JUSTICE A.K. MITCHELL

FRIDAY, THE 7th DAY

OF NOVEMBER, 2025

BETWEEN:



G.M.S. MORTGAGE INVESTMENT CORPORATION

Plaintiff

and

AMSARAL HOLDINGS INC., ROBERT RANDALL HAWKEN
and CHERYL HAWKEN

Defendants

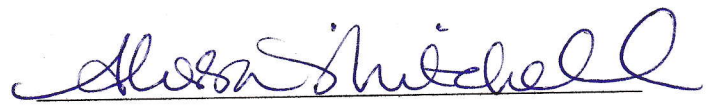
**ORDER
(MOTION TO SET ASIDE MAREVA ORDER)**

THIS MOTION made by the Plaintiff, pursuant to Rules 1.04, 37, 39.01, 40, and 59.06(2) of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, for an Order setting aside the Honourable Justice K.A. Gorman's Order rendered on October 25, 2024, and the Honourable Justice E. ten Cate's Order rendered on November 25, 2024 (the "**Mareva Orders**") as they relate exclusively to 554 Waterloo Street, London, Ontario.

ON READING the Motion Record of the Plaintiff, filed and served on November 4, 2025, and on hearing the submissions of counsel for Plaintiff, and on reading the Consent of all other affected parties:

1. **THIS COURT ORDERS** that the Land Registry Office in Middlesex County (LRO # 33) is to delete, discharge, and expunge the registration of Instrument No. ER1601076 from title to lands legally described as PT LT 1 PLAN 168(E) & PT LT 8 PLAN 173(E), PTS 2, 3 & 4 33R6715; S/T & T/W 716483 LONDON, and identified as PIN 08270-0089 (LT), and municipally known as 554 Waterloo Street, London, Ontario (the "**Property**") which is to be deleted upon the completion of the sale of the Property by the Plaintiff on November 12, 2025 or as soon thereafter as the Plaintiff may complete the sale of the Property, whichever comes later. If, for any reason, the sale of the Property is not completed, Instrument No. ER1601076 shall remain on title to the Property.
2. **THIS COURT ORDERS** that the Mareva Orders shall remain in effect in their entirety save and except for their application to the Property, identified as 554 Waterloo Street, London, Ontario. For greater clarity, the Mareva Orders will continue to apply with respect to the remaining lands (including property municipally known as 10138 Edmunds Blvd, Grand Bend, Ontario), which shall remain subject to the powers of the Receivership Order of Justice K.A. Gorman, dated March 21, 2025, and further orders and endorsements of the Court regarding same.
3. **THIS COURT ORDERS** that the Plaintiff shall be entitled to retain its costs associated with the Sale under Mortgage of the Property, including the costs of this Motion, from the proceeds of the sale, subject to the terms of the Receivership Order of Justice K.A. Gorman, dated March 21, 2025 and/or subject to the right to have the costs assessed.

4. **THIS COURT ORDERS** that the Plaintiff shall provide a full accounting of all receipts, disbursements and costs relating to the enforcement of the Mortgage and sale of the Property to the Receiver, BDO Canada Limited, within 21 days of closing; and
5. **THIS COURT ORDERS** that compliance with the provisions of the *Rules of Civil Procedure* and any rights of appeal are hereby waived as this Order is on consent.


JUSTICE AL. MITCHELL

G.M.S. MORTGAGE INVESTMENT CORPORATION
Plaintiff

-and- AMSARAL HOLDINGS INC. et al.
Defendants

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PROCEEDING COMMENCED AT
LONDON

ORDER

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File Number: MAT77837