

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**

THE HONOURABLE ) TUESDAY, THE 8<sup>TH</sup>  
 )  
JUSTICE CONWAY ) DAY OF APRIL, 2025

B E T W E E N:

**CANADIAN WESTERN BANK**

Applicant

**and**

**8438048 CANADA INC.**

Respondent

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

**ORDER**

**THIS MOTION**, made by BDO Canada Limited, in its capacity as the Court-appointed receiver and manager (the “**Receiver**”) over the assets, undertakings, and properties of 8438048 Canada Inc. (the “**Debtor**”), seeking an Order finding the Debtor and Narinder Shoker (the

“**Respondents**”) in contempt of court was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Motion Record of the Receiver dated February 28, 2025, the Supplemental Motion Record of the Receiver dated March 10, 2025, and the Second Supplemental Motion Record of the Receiver dated April 4, 2025 (altogether, the “**Motion Records**”), including the First Report of the Receiver dated February 28, 2025, the Supplemental First Report of the Receiver dated March 10, 2025, and the Second Supplemental Report of the Receiver dated April 4, 2025, the materials filed on this motion, and on hearing the submissions of counsel for the parties and the Receiver and such other counsel as were present, no one appearing for any other person on the Service List, although duly served as appears from the Affidavit of Service of Christopher Maniaci sworn March 4, 2025 and the Lawyer’s Certificates of Service of Jennifer L. Caruso dated February 28, 2025, March 6, 2025, March 10, 2025, April 4, 2025, and April 7, 2025,

**SERVICE**

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

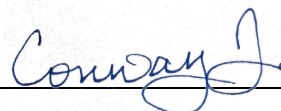
2. **THIS COURT ORDERS** that by no later than May 6, 2025, the Respondents shall provide the following to the Receiver, in form and substance satisfactory to the Receiver, in respect of all of the vehicles listed in: (i) the summary of search results of the Vehicle Identification Numbers (“**VINs**”) listed in registrations under the *Personal Property Security Act* (Ontario) (“**PPSA**”) against the Debtor attached as Exhibit “**V**” to the Affidavit of Jay Hamblin, sworn

November 14, 2024, or any updated PPSA search results; and (ii) the search results for VINs registered under the Registrant Identification Numbers 187029608 and 184721081 listing the Debtor as the registrant (collectively, the “**Missing Vehicles**”):

- (a) delivery of the Missing Vehicles to the Receiver, including any keys and ownership documents for those vehicles;
- (b) the exact location of the Missing Vehicles and the contact information of the person with ownership or control of the premises and permission from that party for the Receiver to retrieve the Missing Vehicles;
- (c) an explanation, with verifiable information from third party sources, as to what happened with each Missing Vehicle; or
- (d) details with respect to the transfer of any Missing Vehicles, including the date of transfer, the name of the transferee, the purchase price, copies of all relevant documentation, and information with respect to where the proceeds are located.

3. **THIS COURT ORDERS** that 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. **THIS COURT ORDERS** that this Order shall take effect on the date of this Order without the need for entry or filing.

  
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CANADIAN WESTERN BANK

Applicant -and- 8438048 CANADA INC.

Respondent  
Court File No. CV-24-00729834-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT  
TORONTO

**ORDER**

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