

Court File No. CV-24-00728653-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE	)	FRIDAY, THE 6 <sup>TH</sup>
	)	
JUSTICE KIMMEL	)	DAY OF DECEMBER, 2024

B E T W E E N:

**EQUITABLE BANK**

Applicant

- and –

**ALIREZI MALEKI IN HIS CAPACITY AS ESTATE TRUSTEE OF THE ESTATE OF  
NGA TU TRUONG**

Respondent

**ORDER**

**THIS MOTION**, made by BDO Canada Limited in its capacity as the Court-appointed receiver and manager (in such capacity, the “**Receiver**”), without security, of all assets, undertakings and properties of Alireza Maleki in his capacity as estate trustee of the estate of Nga Tu Truong (the “**Debtor**”) related to the real property located at 1201 St. Clair Avenue West, Toronto, Ontario (together, the “**Property**”), for an order:

1. validating service and dispensing with further service such that this motion is properly returnable on the date that it is heard;
2. requiring the occupant of the Property (the “**Occupant**”) to deliver to the Receiver vacant possession of the Property within 10 days of the date of the Order;
3. granting the Receiver leave to issue a Writ of Possession for the Property; and

4. approving the activities of the Receiver as set out in the report of the Receiver dated November 27, 2024 (the "**First Report**"),

was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the First Report and on hearing the submissions of counsel for the Receiver and counsel for the Applicant, no one else appearing although served as evidenced by the Lawyer's Certificate of Service dated November 28, 2024, and the Affidavit of Service of Leo Pereira sworn on November 29, 2024, filed;

1. **THIS COURT ORDERS** that service of the Notice of Motion and Motion on the Occupant is validated such that this motion is properly returnable today;

2. **THIS COURT ORDERS** that the Occupant deliver to the Receiver vacant possession of the Property within 10 days of the date of this Order;


3. **THIS COURT ORDERS** that leave is granted to issue a Writ of Possession in favour of the Receiver for the premises described as:

PIN: 21316-0236 (LT)

Description: PT LT 24-25 PL 1360 TORONTO AS IN CT590018; CITY OF TORONTO

Address: 1201 St. Clair Avenue West, Toronto; and

4. **THIS COURT ORDERS** that the First Report and the activities of the Receiver, as set out in the First Report, are hereby approved, provided, however, that only the Receiver, in its personal capacity and with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

 Digitally signed  
by Jessica  
Kimmel  
Date:  
2024.12.06  
15:47:21 -05'00'

**EQUITABLE BANK**

Applicant

- and -

**ALIREZA MALEKI IN HIS CAPACITY AS ESTATE  
TRUSTEE OF NGA TU TRUONG**  
Respondent

Court File No.: CV-24-00728653-00CL

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

Proceeding commenced at Toronto

**ORDER  
(DECEMBER 6, 2024)**

**WEIRFOULDS LLP**  
Barristers and Solicitors  
66 Wellington Street West, Suite 4100  
Toronto-Dominion Centre  
P.O. Box 35  
Toronto, ON M5K 1B7

**Wojtek Jaskiewicz (LSO #49809L)**  
[wjaskiewicz@weirfoulds.com](mailto:wjaskiewicz@weirfoulds.com)

Tel: 416-365-1110

**Lawyers for the Receiver**