

Form 23.03

2025

Hfx No. 547515

Supreme Court of Nova Scotia
In Bankruptcy and Insolvency

IN THE MATTER OF: The Receivership of 4499127 Nova Scotia Limited

BETWEEN:

Express Mortgage Corporation Limited

Applicant

and

4499127 Nova Scotia Limited

Respondent

Notice of Motion

To: The Service List attached as Schedule "A"

Motion

BDO Canada Limited ("**Receiver**"), the Court Appointed Receiver and Manager of the assets, collateral and undertaking ("**Assets**") of the Respondent, 4499127 Nova Scotia Limited, in this proceeding, moves for, *inter alia*, the following:

1. an order abridging time (if required) pursuant to Rule 6 of the *Bankruptcy and Insolvency Act* and *Insolvency General Rules*;
2. an order pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, approving the sale by the Receiver of the real properties located at:
 - i. 4 Roseway Lane, Upper Onslow, Nova Scotia (PID 20498671);
 - ii. 19/21 Summer Hill Place, Upper Onslow, Nova Scotia (PIDs 20501300 and 20501318);
 - iii. 2 Roseway Lane, Upper Onslow, Nova Scotia (PID 20498515).

on the terms and conditions set out in the Receiver's Second Report providing that:

- a. the real property shall vest in the Purchaser thereof free and clear of any claims, liens, or encumbrances other than Permitted Encumbrances;
 - b. that the monies paid to the Receiver pursuant to the sale of the real property shall stand in the place and stead of it for the purpose of determining the nature of the Property and claims thereto; and
3. an order approving the contents of the Second Report and the conduct and activities of the Receiver therein.

Time and place

The motion is to be heard by a judge on December 18, 2025, at 9:30 a.m. in The Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia, B3J 1S7. The moving party has set the motion for hearing in a half-hour. The moving party says that the motion will not require more time.

References

The moving party relies on the following legislation, Rules or points of law: section 243 of the *Bankruptcy and Insolvency Act*

Evidence

The evidence in support of the motion is as follows: The Second Report and affidavit of Joshua J. Santimaw, both filed with this notice.

Possible order against you

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

Signature

Signed December 15, 2025



Signature
Print Name: Joshua J. Santimaw