



Ontario
Superior Court of Justice
45 Main Street East
Hamilton, Ontario L8N 2 B7

ENDORSEMENT SHEET FOR CIVIL MOTION

SHORT TITLE OF PROCEEDINGS: CAISSE DESJARDINS ONTARIO CREDIT UNION
INC v. 12905060 CANADA INC. et al.

COURT FILE NO.: CV-25-89291

BEFORE: Justice J. Krawchenko

HEARD ON: July 9, 2025

COUNSEL: B. Sarsh for the Applicant Caisse Desjardins
J.S. Quigley for the Receiver
P. Crawley (Receiver)
No one appearing for the Respondents.

RELIEF REQUESTED:

ORDER SIGNED ON CONSENT

UNOPPOSED NO ONE APPEARED

ADJOURNED TO [Click here to enter a date.](#)

ENDORSEMENT:

1. This is a motion brought by the Receiver to address a number of issues relative to the Receivership.
2. I note that the Respondents did not appear nor did they file any materials in response to this motion.
3. Starting with the first order of business, this court approves the 1st report of the Receiver dated 3 June 2025.
4. Secondly I am satisfied that the two proposed sales of the Pelham and Wellington properties are appropriate and approve them. Flowing from this approval, I agree that it is necessary to temporarily seal the confidential appendices in the manner and for the time period set out in the draft order, to secure the information until after the sale of the properties has been concluded, at which point those records shall be unsealed.
5. Notwithstanding the very clear wording of the receivership order, Nels Moxness and CPM have not been forthcoming with information requested of them nor have they fully cooperated with the receiver. This lack of cooperation may result in serious consequences to those parties if not remedied forthwith. In the circumstances and as a direct result of the lack of cooperation thus far, the costs of these proceedings will be



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fixed at a substantial indemnity scale as opposed to a partial indemnity scale, to drive home the point to Nels Moxness and CPM that the court fully expects their full compliance with the orders made.

- 6. Orders signed this day with regards to the sales and ancillary issues.**

Date: July 9, 2025

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke.

Justice J. Krawchenko