



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

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

THE HONOURABLE

)

TUESDAY, THE 20<sup>TH</sup>

JUSTICE CONWAY

)

DAY OF MAY, 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**  
**( CONTEMPT 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

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“Breaching Parties”) 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, the Second Supplemental Motion Record of the Receiver dated April 4, 2025, and the Third Supplemental Motion Record of the Receiver dated May 14, 2025 (the “**Motion Records**”), including the First Report of the Receiver dated February 28, 2025, the Supplement to the First Report of the Receiver dated March 10, 2025, the Second Supplement to the First Report of the Receiver dated April 4, 2025, the Second Report of the Receiver dated May 7, 2025, and the First Supplement to the Second Report of the Receiver dated May 14, 2025, and the materials filed on this motion, and the Affidavit of Narinder Shoker sworn April 3, 2025, the Affidavit of Narinder Shoker sworn April 4, 2025, and the Affidavit of Narinder Shoker sworn May 13, 2025, 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 Affidavits of Service of Christopher Maniaci sworn March 4, 2025 and May 16, 2025 and the Lawyer’s Certificates of Service of Jennifer L. Caruso dated February 28, 2025, March 6, 2025, March 10, 2025, April 7, 2025, May 14, 2025, and May 15, 2025,

## **SERVICE**

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

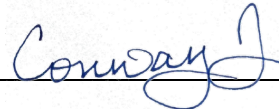
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## CONTEMPT AND SCHEDULING OF PENALTY HEARING

2. **THIS COURT DECLARES** that the Breaching Parties are in breach of the Amended and Restated Receivership Order of Justice Black dated January 16, 2025 and are in civil contempt.

3. **THIS COURT DECLARES** that Narinder Shoker is in breach of the Examination and Production Order of Justice Penny dated March 11, 2025 and is in civil contempt.

4. **THIS COURT ORDERS** and directs that a hearing as to the applicable penalty for the above-noted contempt be scheduled, subject to the availability of the Court and counsel.



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CANADIAN WESTERN BANK

-and- 8438048 CANADA INC.

Applicant

Respondent

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

PROCEEDING COMMENCED AT  
TORONTO

**ORDER  
(CONTEMPT ORDER)**

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