

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

THE HONOURABLE

)

WEDNESDAY, THE

JUSTICE STEELE

)

22ND DAY OF JULY, 2026

)

B E T W E E N:

CANADA ICI CAPITAL CORPORATION

Applicant

- and -

**CB 4632 ONTARIO INC., CB 4656 ONTARIO INC. and
MICHELLE MOYAL IN HER CAPACITY AS THE ESTATE
TRUSTEE FOR THE ESTATE OF CLAUDE BITTON,
DECEASED**

Respondents

ORDER

(LIFTING STAY OF PROCEEDINGS)

THIS MOTION, made by Canada ICI Capital Corporation (“**Canada ICI**”) for an order, *inter alia*, (i) lifting the stay of proceedings against CB 4632 Ontario Inc. (“**CB32**”), CB 4656 Ontario Inc. (“**CB56**”), as granted pursuant to the Order of Justice Myers dated January 9, 2026 (the “**Receivership Order**”), and (ii) authorizing and directing BDO Canada Limited, in its capacity as receiver (the “**Receiver**”) of certain lands and premises owned by the CB32, CB56, the Estate of Claude Bitton (the “**Estate**” and together with CB32 and CB56, the “**Debtors**”), together with any personal property owned by the Debtors or in which the Debtors have an interest

in located thereon, related thereto or arising therefrom, to file an assignment in bankruptcy on behalf of the CB32 and CB56 pursuant to section 49 of the *Bankruptcy and Insolvency Act* (Canada), was heard this day by Zoom videoconference.

ON READING the First Report of the Receiver dated July 16, 2026, and the appendices thereto, and on hearing the submissions of counsel for Canada ICI, counsel for the Receiver, those other parties that were present as listed on the counsel slip, and no one appearing for any other person on the service list, although properly served as appears from the Affidavits of Service, filed:

SERVICE

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

LIFTING THE STAY OF PROCEEDINGS

2. **THIS COURT ORDERS** that the stay of proceedings against the CB32 and CB56, as imposed pursuant to paragraph 9 of the Receivership Order, be and is hereby lifted to permit the filing of an assignment in bankruptcy by the Receiver on behalf of CB32 and CB56.

ASSIGNMENT INTO BANKRUPTCY

3. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to file an assignment in bankruptcy on behalf of CB32 and CB56 and to act as trustee in bankruptcy of CB32 and CB56.



CANADA ICI CAPITAL CORPORATION

- and -

CB 4632 ONTARIO INC. ET AL.

Applicant

Respondents

Court File No. CV-25-00746967-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

Proceedings commenced at TORONTO

**ORDER (LIFTING STAY OF
PROCEEDINGS)**

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