

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) THURSDAY, THE 7th
)
JUSTICE KOEHNEN) DAY OF OCTOBER, 2021
)

B E T W E E N :

CANADIAN IMPERIAL BANK OF COMMERCE

Plaintiff

- and -

SIMRANJIT DHILLON, MANDHIR DHILLON, SARBJIT DHILLON, MANDEEP DHILLON, 908593 ONTARIO LIMITED, (OPERATING AS EAGLE TRAVEL PLAZA, 402 ESSO TRAVEL CENTRE, EAGLE FLEET SERVICES, 18 WHEELER TRUCK STOP AND BLOOMFIELD TRUCK STOP), 1393382 ONTARIO LIMITED, 2145744 ONTARIO LIMITED, 2145754 ONTARIO LIMITED, 1552838 ONTARIO INC., 2189788 ONTARIO INC., 2123618 ONTARIO LIMITED, 1849722 ONTARIO LTD., 2469244 ONTARIO LIMITED, 2364507 ONTARIO LIMITED, 1254044 ONTARIO LIMITED, 2612550 ONTARIO LIMITED, 2541899 ONTARIO LIMITED, 2571279 ONTARIO INC., 2541900 ONTARIO LIMITED, 2587984 ONTARIO INC., 2561534 ONTARIO LIMITED, 2431264 ONTARIO INC., 2542372 ONTARIO INC., 2034039 ONTARIO INC., 5009770 ONTARIO LIMITED, 5009771 ONTARIO LIMITED, 1107943 ONTARIO INC., 1786675 ONTARIO LIMITED, 1797598 ONTARIO LTD., 1325109 ONTARIO LIMITED, 2660556 ONTARIO LIMITED, AND 2665448 ONTARIO LTD., 1882190 ONTARIO INC., 2616768 ONTARIO LIMITED, 2616766 ONTARIO LIMITED, 2652876 ONTARIO LTD, 2598753 ONTARIO LIMITED, HIRA DHILLON, MAHAN DHILLON, VIPEN CHAUSER, RUPINDER KAUR, 2309136 ONTARIO INC. (OPERATING AS INDO CANADIAN CARRIERS), TIGER EXPRESS INC., DOE 1 INC., DOE 2 INC., JANE DOE 1, JANE DOE 2, JOHN DOE 1 and JOHN DOE 2

Defendants

RELEASE OF FUNDS ORDER

THIS MOTION, made by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”), of the assets, undertakings and properties of 908593 Ontario Limited, operating as Eagle Travel Plaza (“**908**”), 1393382 Ontario Limited, 2145744 Ontario Limited, 2145754 Ontario Limited, 2123618 Ontario Limited, 1849722 Ontario

Limited, 2469244 Ontario Limited, 2364507 Ontario Limited, and 2612550 Ontario Limited (collectively, the “**Debtors**”), *ex parte*, for an order (the “**Disputed Claims Order**”) granting judgment against the Subject Customers against whom the Claims Officer has rendered decisions in favour of the Receiver was heard this day by judicial teleconference via Zoom at Toronto, Ontario.

ON READING the Eleventh Report of the Receiver dated October 4, 2021 (the “**Eleventh Report**”) and on hearing the submissions of counsel for the Receiver:

INTERPRETATION

1. **THIS COURT ORDERS** that defined terms not otherwise defined herein shall have the same meanings as ascribed to them in the Receiver’s Collection Plan Order issued by the Honourable Justice Hailey in this proceeding on August 4, 2020.

JUDGMENT

2. **THIS COURT ORDERS** that all sheriffs of the Province of Ontario are to release to the Receiver any funds received in favour of the Receiver pursuant to a notice of garnishment issued in this proceeding (whether currently held or received in the future), notwithstanding any pending motions in relation to this court file.

3. **IT IS FURTHER ORDERED** that the Receiver is to hold any funds received from a sheriff of the Province of Ontario pursuant to this order, and not disburse them, for the longer of: (a) 60 days; or (b) if the relevant Subject Customer has brought a motion to set aside the applicable Default Judgment before the 60 days have elapsed, the resolution of that motion.

4. **THIS COURT ORDERS** that this Order and all of its provisions are effective from the date it is made without any need for entry and filing.



CANADIAN IMPERIAL BANK OF COMMERCE

and

SIMRANJIT DHILLON ET AL.

Plaintiff

Defendants

Court File No. CV-19-00628293-00CL

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SUPERIOR COURT OF JUSTICE
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Proceedings commenced at Toronto**

RELEASE OF FUNDS ORDER

AIRD & BERLIS LLP
Barristers and Solicitors
Brookfield Place
181 Bay Street, Suite 1800
Toronto, ON M5J 2T9

Steven L. Graff - LSO No. 31871V

Tel: 416-865-7726

Email: sgraff@airdberlis.com

Miranda Spence - LSO No. 60621M

Tel: 416-865-3414

Email: mspence@airdberlis.com

Adam West - LSO No. 82565S

Tel 647-426-2309

Email: awest@airdberlis.com

*Lawyers for BDO Canada Limited in its capacity
as the court-appointed Receiver of 908593 Ontario
Limited, operating as Eagle Travel Plaza, et al.*