



Court File No. CV-24-00098058-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

)

TUESDAY, THE 4TH

JUSTICE MEW

)

DAY OF NOVEMBER, 2025

)

**IN THE MATTER OF SUBSECTION 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**

**AND IN THE MATTER OF THE APPOINTMENT OF A RECEIVER OVER
THE PROPERTY, ASSETS AND UNDERTAKING OF 2067166 ONTARIO
INC., 2265132 ONTARIO INC., ASHCROFT HOMES – LA PROMENADE
INC., 2195186 ONTARIO INC., 1384274 ONTARIO INC. AND 1019883
ONTARIO INC.**

**ANCILLARY ORDER
(Park Place Senior and Promenade Senior)**

THIS MOTION, made by 2067166 Ontario Inc. ("**Park Place Senior**") and Ashcroft Homes – La Promenade Inc. ("**Promenade Senior**", and collectively with Park Place Senior, the "**Debtors**", and each a "**Debtor**"), for an Order, *inter alia*, (i) approving the activities of the Receiver; (ii) approving the fees and disbursements of KSV Restructuring Inc. as receiver and manager (in such capacity, the "**Receiver**") of the property, assets and undertakings of the Debtors, (iii) directing transfer of the funds held pursuant to the Funds Transfer Order (defined below); and (iv) sealing confidential appendix "1" (the "**Confidential Appendix**") to the Sixth Report (as defined below), was heard this day by videoconference.

ON READING the Motion Record in respect of this motion, the Sixth Report of the Receiver dated October 27, 2025 (the "**Sixth Report**") including the affidavit of the Receiver sworn October 27, 2025 (the "**KSV Fee Affidavit**") and the affidavit of its counsel, Norton Rose Fulbright Canada LLP ("**NRF**"), sworn October 26, 2025 (the "**NRF Fee Affidavit**"), and on hearing the submissions of counsel for the Debtors, counsel for the Receiver, no one else appearing although served as evidenced by the Affidavit of Service of Nelly Coutinho, sworn October 28, 2025, filed, and on being advised that the within motion is on consent of the parties;

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion, the Motion Record and the Sixth Report (including the NRF Fee Affidavit and the KSV Fee Affidavit) are hereby abridged and validated so that this motion is properly returnable today, and this Court dispenses with further service thereof.

REPORTS AND ACTIVITIES

2. **THIS COURT ORDERS** that the Third Report of the Receiver dated July 14, 2025 (the “**Third Report**”) and the Sixth Report (together, the “**Reports**”), and the activities and conduct of the Receiver as described in the Reports, be and are hereby approved. Provided, however, that only the Receiver in its personal capacity and only with respect to its own personal liability shall be entitled to rely upon or utilize in any way such approval.

RECEIPTS AND DISBURSEMENTS

3. **THIS COURT ORDERS** that the Receiver’s interim statements of receipts and disbursements for each of the Debtors dated as of October 17, 2025, be and are hereby approved.

PROFESSIONAL FEES

4. **THIS COURT ORDERS** that the fees and disbursements of KSV, in its capacity as the interim receiver of the Debtors (in such capacity, the “**Interim Receiver**”) pursuant to the Order of Justice Mew issued on January 3, 2025, until its appointment as the Receiver on February 24, 2025 (the “**Interim Receivership Period**”), in the amount of \$231,525 (excluding HST), be and are hereby approved.
5. **THIS COURT ORDERS** that the fees and disbursements of the Interim Receiver’s counsel, NRF, for the Interim Receivership Period, in the amount of \$170,602 (excluding HST), be and are hereby approved.
6. **THIS COURT ORDERS** that the fees and disbursements of the Receiver as they relate to the Debtors for the periods set out in the KSV Fee Affidavit, in the amount of \$486,616 (excluding HST), be and are hereby approved.

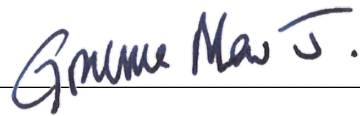
7. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's counsel, NRF, for the periods set out in the NRF Fee Affidavit, in the amount of \$212,372 (excluding HST), be and are hereby approved.
8. **THIS COURT ORDERS** that the Fee Accrual (as defined in the Sixth Report) be and is hereby approved.

FUNDS TRANSFER ORDER

9. **THIS COURT ORDERS** that, upon the delivery of the Discharge Certificate (as defined in the Sixth Report), the Receiver shall transfer to the firm of Garfinkle Biderman LLP, in trust, all funds, including any interest accrued thereon, held by the Receiver pursuant to the funds transfer order of this Court dated March 21, 2025 (the "**Funds Transfer Order**"), and that this Order shall constitute an Order as contemplated by paragraph 5 of the Funds Transfer Order.
10. **THIS COURT ORDERS** that, upon receipt, the firm of Garfinkle Biderman LLP may immediately release the amount of \$1,033,759.41 to its client, Alma Byward Market LP, but that all remaining funds shall be held in trust by Garfinkle Biderman LLP subject to consent to their release by both of Alma Byward Market LP and Ashcroft Homes – La Promenade Inc. or by further Order of this Court.

SEALING ORDER

11. **THIS COURT ORDERS** that the Confidential Appendix to the Sixth Report shall be sealed, kept confidential and not form part of the public record until further Order of this Court.

A handwritten signature in dark ink, appearing to read "G. Mew J.", is written over a horizontal line.

Mew J.

Issuance on November 10, 2025

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ONTARIO INC., ASHCROFT HOMES – LA PROMENADE INC., 2195186 ONTARIO
INC., 1384274 ONTARIO INC. AND 1019883 ONTARIO INC.

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**ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
OTTAWA**

**ANCILLARY ORDER
(Park Place Senior and Promenade Senior)**

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