

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) FRIDAY, THE 5TH
)
JUSTICE KOEHNEN) DAY OF JUNE, 2020
)

ECOHOME FINANCIAL INC.

Plaintiff

- and -

UTILECREDIT CORP.

Defendant

DOCUMENT PRESERVATION ORDER

THIS MOTION made by EcoHome Financial Inc. (the “**Plaintiff**”) for an Order pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended (the “**BIA**”) and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended (the “**CJA**”) with respect to the preservation and safeguarding of Records (as defined in the Receivership Order of this Court granted June 5, 2020 (the “**Receivership Order**”)) of Utilecredit Corp. (the “**Debtor**”) by RSM Canada Limited, in its capacity as receiver and manager of the Debtor (the “**Receiver**”) pending further Order of this Court with respect to the review of such Records, was heard this day at 330 University Avenue, Toronto, Ontario.

ON HEARING the submissions of the Plaintiff and the Debtor.

SERVICE

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

PRESERVATION OF RECORDS

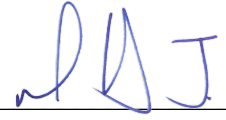
2. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed (directly or through its agent, Tert & Ross) to forthwith take an image or copy of all servers and computers that:

- (a) have or may have any Records that relate to Utilecredit;
- (b) are located at the premises located at 302 East Mall, Suite 301, Toronto, Ontario (the “**Premises**”);
- (c) are located in the cloud server containing any Utilecredit Records (whether Microsoft 365 or otherwise); and
- (d) are located on physical servers that were previously located at the Premises, regardless of their current location.

3. **THIS COURT ORDERS** that the Receiver shall not review the Records so imaged or copied pursuant to paragraph 2 hereof other than to the extent necessary to ensure that a proper image or copy was made, until further order of the Court.

4. **THIS COURT ORDERS** that John Nassar shall immediately advise the Receiver of the locations of the computers and servers referred to in paragraph 2, and provide access to such locations to the Receiver and its agent to enable the imaging and copying of Records as contemplated pursuant to paragraph 2 hereof.

5. **THIS COURT ORDERS** that this Order is effective from today's date and is not required to be entered.

A handwritten signature in blue ink, appearing to be 'DAJ', is written above a horizontal line.

ECOHOME FINANCIAL INC.

Plaintiff

and

Court File No. CV-20-00636417

CL File No.: _____

UTILECREDIT CORP.

Defendant

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**
Proceeding Commenced at Toronto

DOCUMENT PRESERVATION ORDER

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