

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

The Honourable Justice *Hainey*)
)
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TUESDAY, THE 5th TH
DAY OF November, 2019

BETWEEN:



(Court Seal)

THE TORONTO-DOMINION BANK

Applicant

and

GREEN LINE TRANSPORTATION INC.

Respondent

APPLICATION UNDER Section 101 of the *Courts of Justice Act* and section 243 of the *Bankruptcy and Insolvency Act*

ORDER

THIS MOTION, made by RSM Canada Limited in its capacity as Court- appointed receiver and manager ("**Receiver**") of all of the assets, property and undertaking of Green Line Transportation Inc. ("**Green Line**") for Orders *inter alia*: i) declaring the time for service of the Notice of Motion and the Motion Record is hereby abridged so that the motion is properly returnable today; ii) approving the activities of the Receiver and the First Report to the Court of the Receiver, dated October 18, 2019(the "**First Report**"); iii) approving the fees and disbursements of the Receiver and its lawyers; iv) approving the Receiver's interim receipts and disbursements; v) ordering Abdul Q. Hotay to attend

an examination under oath at a time and place to be determined by the Receiver or its lawyer; and vi) that Abdul Q. Hotay and /or Abdul Hotay Professional Corporation (collectively, "**Hotay**") produce to the Receiver within 5 business days of the date of this Order copies of all electronic and physical books and records relating to Green Line in Hotay's possession, including all books and records, financial documents and statements, tax returns and working papers related to Hotay's production of Green Line's Review Engagement Financial Statements dated December 31, 2016 through December 31, 2018 was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion, dated October 21, 2019 , the First Report and upon hearing the submissions of the Receiver's lawyer, no one appearing for any other person appearing on the Service List, although duly served as it appears from the Affidavit of Service of Angela Makris sworn October 21 2019, Affidavit of Service of Robin Dodokin sworn October 21, 2019 , Affidavits of Service of Peter Hunt sworn October 29 and 30, 2019, Affidavit of Service of Edward Maw sworn October 24, 2019, Affidavit of Service of Mary Lee Pearson sworn October 23, 2019, Affidavit of Derek Lanctot sworn October 29, 2019 and Affidavit of Nancy McRoberts sworn October 30, 2019 filed,

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

2. **THIS COURT ORDERS** that the First Report and the activities of the Receiver as set out in the First Report are hereby approved.

3. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements for the period June 21, 2019 to September 30, 2019, attached as Appendix Q to the First Report, is hereby approved.

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as set out in the First Report are hereby approved.

5. **THIS COURT ORDERS** that Abdul Q. Hotay shall attend at an examination for discovery at a time and date to be determined by the Receiver at the offices of Network West Reporting & Mediation 77 City Centre Drive, Suite 500, West Tower, Mississauga, Ontario L5B 1M5 to answer questions regarding Green Line, including but not limited to Green Line's books and records, documents, financial statements, tax returns, accounts receivable reports and aging A/R reports, assets, and the sale of any part of the assets or business of Green Line Transportation Inc.

6. **THIS COURT FURTHER ORDERS** that Abdul Q. Hotay and/or Abdul Hotay Professional Corporation produce and deliver to the Receiver within five (5) business days of the date of this Order all books and records, financial documents and statements, tax returns and working papers related to Hotay's production of the Debtor's Review Engagement Financial Statements dated December 31, 2018, December 31, 2017 and December 31, 2016 in Hotay's possession or control.

7. **THIS COURT FURTHER ORDERS** that service of this Order and any Notices of Examination shall be served by regular pre-paid mail to Abdul Q Hotay c/o Hotay Professional Corporation 315 Traders Blvd East, Suite 4, Mississauga, Ontario L4Z 3E4 and by email to abdul@hotaycpa.ca .

8. **THIS COURT FURTHER ORDERS** that service of this Order and the aforesaid Notice of Examination on Abdul Q Hotay shall be deemed effective the fifth day after this Order and Notice of Examination are mailed by regular mail and by email in accordance with paragraph 7 herein.

9. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.



Justice

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

NOV 05 2019

PER / PAR:



THE TORONTO-DOMINION BANK
Applicant

-and- GREEN LINE TRANSPORTATION INC.
Respondent

Court File No. CV-19-621613-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

**PROCEEDING COMMENCED AT
TORONTO**

ORDER

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