ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

THE HONOURABLE)	MONDAY, THE 21ST
JUSTICE	HAINEY)	DAY OF MARCH, 2016
BETWEE (Court Seal)	N:		
	E 2	DBDC SPADINA LTD.	
and	THOSE CORPORA	TIONS LISTED ON SC	HEDULE "A" HERETO
OPERIEURE DE			Applicants

and

NORMA WALTON, RONAULD WALTON, THE ROSE & THISTLE GROUP LTD. and THOSE CORPORATIONS LISTED ON SCHEDULE "B" HERETO

Respondents

and

THOSE CORPORATIONS LISTED IN SCHEDULE "C" HERETO, TO BE BOUND BY THE RESULT

ORDER

THIS MOTION, made by Collins Barrow Toronto Limited, in its capacity as court appointed Receiver (the "Receiver") of the assets, undertakings and properties of West Mall Holdings Ltd. (the "Debtor"), for an order (i) authorizing the Receiver to disburse to tenants who made overpayment of TMI during the Receivership (the "Tenant Receivership Overpayments") the amounts of the said overpayments (ii) approving the Receiver's statement of receipts and

disbursements attached as Exhibit "H" to the Second Report of the Receiver dated March 10, 2016 (the "Second Report"); and (iii) approving the Receiver's activities, fees and disbursements as set out in the Second Report, was heard this day at the court house, 330 University Avenue, 8th Floor, Toronto, Ontario.

ON READING the Second Report and the appendices attached thereto, the Affidavit of Daniel Weisz sworn March 4, 2016 (the "Weisz Fee Affidavit") and the Affidavit of Michael Cass sworn March 10, 2016 (the "Cass Fee Affidavit") and on hearing the submissions of the lawyer for the Receiver, no other person appearing for any other party although properly served as appears from the affidavit of service filed herein,

Service

1. **THIS COURT ORDERS** that the time for service of the Receiver's notice of motion and motion record dated March 10, 2016 is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

Tenant Receivership Overpayments

2. **THIS COURT ORDERS** that the Receiver is authorized to disburse the Tenant Receivership Overpayments from the Holdback, as defined in the Second Report, to the tenants and in the sums as listed in Schedule "A" to the within order.

Approval of Activities

3. THIS COURT ORDERS that the (i) Second Report of the Receiver, (ii) the activities of the Receiver described therein, (iii) the statement of receipts and disbursements contained therein, and (iv) the fees and disbursements of the Receiver described therein and in the Weisz Fee Affidavit and the Cass Fee Affidavit be and are hereby approved.

(Signature of Judge)

RCP-E 59A (July 1, 2007)

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

MAR 2 1 2016

291-295 The West Mall Tenant Receivership Overpayments February 1 to October 31, 2015

Name of Tenant	Tenant Overpayment
Canadian Institute of Plumbing and Heating	\$ 13,501
Community Living Toronto	36,899
Dr. Janusz Mierzwa	6,291
Edgebuilder Inc.	17,009
Hudson Group Consulting Inc.	2,275
Investors Group Financial Services Inc.	101,455
Keg Restaurant Ltd.	24,667
Marhen Insurance Brokers Ltd.	2,901
The George Hull Centre for Children and Families	15,898
United Grocers Inc.	8,203
Total amount	\$ 229,098

Respondents

Court File No. CV-13-10280-00CL

SUPERIOR COURT OF JUSTICE COMMERCIAL LIST ONTARIO

PROCEEDING COMMENCED AT TORONTO

ORDER

STEINBERG TITLE HOPE & ISRAEL LLP 5255 Yonge Street, Suite 1100 Barristers & Solicitors

Toronto, Ontario

M2N 6P4

David A. Brooker (35787W)

Tel: 416-225-2777 Fax: 416-225-7112

Lawyers for Collins Barrow Toronto Limited

court appointed Receiver for West Mall Holdings Ltd.

RCP-E 4C (July 1, 2007)

-and-

-and-

March 21,2016

NORMA WALTON et al.

Respondents

Court File No. CV-13-10280-00CL

Vadel 21, 2016

ONTARIO

SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

This Holion is unop I am soliefied the

M

PROCEEDING COMMENCED AT TORONTO

on the Termof The

MOTION RECORD OF COLLINS BARROW TORONTO LIMITED, COURT APPOINTED RECEIVER OF WEST MALL HOLDINGS LTD.

STEINBERG TITLE HOPE & ISRAEL LLP

Barristers & Solicitors 5255 Yonge Street, Suite 1100 Toronto, Ontario M2N 6P4

David A. Brooker (35787W)

Tel: 416-225-2777 Fax: 416-225-7112

FILED / DÉPOSÉ ON PAR 1 1 2016

AT / A

ORONTO

Lawyers for Collins Barrow Toronto Limited court appointed Receiver for West Mall Holdings Ltd.

RCP-E 4C (July 1, 2007)