

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

*In the matter of Sections 97 and 100 of the Courts of Justice Act, R.S.O. 1990 c.C.43, as am.*

**B E T W E E N:**

**FIRM CAPITAL MORTGAGE FUND INC.**

Applicant

- and -

**FORTRESS BROOKDALE INC., FORTRESS AVENUE ROAD (2015) INC. and  
FERNBROOK HOMES (BROOKDALE) LIMITED**

Respondents

**ENDORSEMENT**

The Holdback provided for in paragraph 7 of the Vesting Order dated October 18, 2018 shall continue to be held by the Receiver until the earlier of (i) the Receiver being satisfied that neither it nor the Applicant shall have any further Holdback Obligations, (ii) the issuance of a distribution order in respect of the Net Proceeds, (iii) March 29, 2019; or (iv) an Order of the Court.

February 13, 2019



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**FIRM CAPITAL MORTGAGE FUND INC.**

- and - **FORTRESS BROOKDALE INC., FORTRESS AVENUE ROAD  
(2015) INC. and FERNBROOK HOMES (BROOKDALE) LIMITED**

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Court File No. CV-18-604993-00CL

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Proceedings commenced at Toronto, Ontario

**ENDORSEMENT**  
(February 13, 2019)

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