

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

THE HONOURABLE MR. )

WEDNESDAY, THE 31<sup>ST</sup>

JUSTICE WILTON-SIEGEL )

DAY OF OCTOBER, 2018



**M.O.S. MORTGAGEONE SOLUTIONS LTD.**

Applicant

- and -

**FINGAL PROPERTIES HOLDINGS INC.**

Respondents

**APPLICATION UNDER** Section 243(1) of the *Bankruptcy and Insolvency Act*, as amended  
and Section 101 of the *Courts of Justice Act*, as amended

**ORDER**  
**(Approval of Sale Process)**

THIS MOTION made by RSM Canada Limited, in its capacity as receiver (the “**Receiver**”) of Fingal Properties Holdings Inc. (the “**Debtor**”), for an Order substantially in the form enclosed in the Motion Record, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Receiver's Motion Record in respect of this motion, including the notice of motion and the first report of the Receiver dated October 15, 2018 (the “**First Report**”).

AND UPON hearing the submissions of counsel for the Receiver, any other party as indicated on the counsel slip, and no one else appearing for any other person on the service list, although duly served as appears from the affidavit of service of Brendan Bissell, sworn October 22, 2018; filed;

## **NOTICE AND SERVICE**

1. THIS COURT ORDERS that the time for service of the Motion Record in respect of this motion and the First Report is hereby abridged and validated so that the motion is properly returnable today, and that further service thereof is hereby dispensed with.

## **SALE PROCESS**

2. THIS COURT ORDERS that the sale process as described in the First Report (the “Sale Process”), be and is hereby approved.

3. THIS COURT ORDERS that the Receiver is hereby authorized to carry out the Sale Process and to take such steps and execute such documentation as may be necessary or incidental to the Sale Process.

## **APPROVAL OF RECEIVER’S REPORT AND ACTIVITIES**

4. THIS COURT ORDERS that the First Report and the activities described therein be and are hereby approved, provided that only the Receiver, in its personal capacity and only with respect to its personal capacity, shall be entitled to rely upon or utilize in any way such approval.

## **INCREASE TO THE RECEIVER’S BORROWING CHARGE**

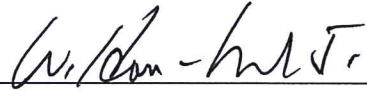
5. THIS COURT ORDERS the Order of Justice Dunphy Appointing Receiver dated September 12, 2018 in this matter be and hereby is amended by striking out the reference to “\$100,000.00” in paragraph 21 of that Order and substituting therefor “\$425,000.00”.

## **SEALING**

6. THIS COURT ORDERS that Confidential Appendices 1, and 2 to the First Report are hereby sealed pending the closing of a transaction to sell the Property (as defined in the First Report) and the filing of a Receiver’s Certificate.

**MISCELLANEOUS**

7. THIS COURT ORDERS AND REQUESTS the aid and recognition of any court or any judicial, regulatory or administrative body in any province or territory of Canada and the Federal Court of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province to act in aid of and to be complementary to this Court 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 as may be necessary or desirable to give effect to the Order or to assist the Receiver and its agents in carrying out the terms of this Order.

A handwritten signature in black ink, appearing to read "W. J. - H. J.", written over a horizontal line.

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

OCT 31 2018

PER / PAR:

A handwritten signature in blue ink, consisting of stylized initials.

**M.O.S. MORTGAGEONE SOLUTIONS LTD.**

and

**FINGAL PROPERTIES HOLDINGS INC.**

Applicant

Respondent

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST  
Proceeding commenced TORONTO**

**ORDER  
(Approval of Sale Process)**

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