

ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY

THE HONOURABLE)	THURSDAY, THE 21 st DAY
)	
MR. JUSTICE OSBORNE)	OF NOVEMBER 2024

IN THE MATTER OF THE BANKRUPTCY OF THOMAS DYLAN SUITOR,
an individual with a locality of Burlington, Ontario

ORDER

THIS MOTION, brought by TDB Restructuring Limited (the “**Interim Receiver**”) for advice and directions, was heard this day at 330 University Avenue, Toronto, Ontario.

UPON READING the Interim Receiver’s First Report dated November 19, 2024 (the “**First Report**”), and the Fee Affidavits contained therein, and upon hearing the submissions of counsel for the Interim Receiver, counsel for the Applicant Creditor The Fuller Landau Group Inc. (the “**Applicant**”), and counsel for the Respondent Thomas Dylan Sutor (the “**Respondent**”), no one else appearing, although properly served.

1. **THIS COURT ORDERS** that the time for service of the within notice of motion and motion record, be and is hereby abridged, and that service thereof is hereby validated.

2. **THIS COURT ORDERS** that the Interim Receiver's First Report and the activities of the Interim Receiver described therein be and they are hereby approved.

3. **THIS COURT ORDERS** that the Interim Receiver may implement the following protocol for payments by the Respondent or his companies (but excluding, for greater certainty, any of Balboa Inc., DSPLN Inc., Happy Gilmore Inc., Interlude Inc., Multiville Inc., The Pink Flamingo Inc., Hometown Housing Inc., The Mulligan Inc., Horses in the Back Inc., Neat Nests Inc. and Joint Captain Real Estate Inc. (collectively, the "Balboa Group")):

- a. subject to sub-paragraph b, the Respondent will be authorized to pay invoices received from any person, provided that the amount to that person does not exceed a pre-determined threshold to be set by the Interim Receiver (the "**Approval Threshold**");
- b. the Respondent shall provide a summary of proposed payments during the week preceding the proposed payments, together with bank statements. The Interim Receiver will be at liberty to prohibit payments to payees at its sole discretion; and
- c. any proposed payment exceeding the Approval Threshold must receive the prior written approval of the Interim Receiver.

4. **THIS COURT ORDERS AND DIRECTS** that the Interim Receiver may share information derived from execution of its mandate herein with the Applicant and with KSV

Restructuring Inc. (“KSV”), in its capacity as the Court-appointed Monitor of the Balboa Group on the basis that the Applicant and KSV treat the shared information as confidential and do not publish or disseminate the shared information without providing Suitor not less than 5 business days’ notice of such intention and without prejudice to Suitor’s right to challenge its use or seek a sealing order.

5. **THIS COURT ORDERS AND DECLARES** that the sharing of information aforesaid does not contravene, and shall be deemed not to contravene, the provisions of *The Bankruptcy and Insolvency Act* (Canada) or the Rules thereunder.

6. **THIS COURT ORDERS** that the fees of the Interim Receiver for the period October 7, 2024 to and including November 15, 2024, and the fees of its legal counsel, be and they are hereby approved.

7. **THIS COURT ORDERS** that the Interim Receiver shall have its costs of this motion on a full indemnity basis to be paid by the Interim Receiver from the within Estate in accordance with the terms of the Appointment Order dated October 7, 2024.

IN THE MATTER OF THE BANKRUPTCY OF THOMAS DYLAN SUITOR, AN INDIVIDUAL WITH A LOCALITY OF BURLINGTON, ONTARIO

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

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