



Court File No. CV-24-00730993-00CL

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

THE HONOURABLE

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TUESDAY, THE 23RD

)

JUSTICE J. DIETRICH

)

DAY OF JUNE, 2026

HILLMOUNT CAPITAL MORTGAGE HOLDINGS INC.

Applicant

- and -

CBJ – FORT ERIE HILLS INC.

Respondent

APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF
THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43, AS AMENDED

**ORDER
(Ancillary Relief)**

THIS MOTION made by TDB Restructuring Limited, in its capacity as Court-appointed receiver (in such capacity, the “**Receiver**”), without security, of all of the property, assets and undertakings of the Respondent, for an Order, *inter alia*: (i) approving the Second Report of the Receiver dated June 11, 2026 (the “**Second Report**”) and the activities of the Receiver described therein, and (ii) approving the fees and disbursements of the Receiver and of the Receiver’s counsel, was heard on June 23, 2026 at 330 University Avenue, Toronto, Ontario, by videoconference.

ON READING the Notice of Motion of the Receiver dated June 12, 2026 (the “**Notice of Motion**”) and the Second Report (together with the Notice of Motion, the “**Motion Materials**”),

and on hearing the submissions of counsel for the Receiver and such other parties listed on the Participant Information Form, no one else appearing although duly served as appears from the Certificate of Service of Derek Harland, filed,

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that the time for service of the Receiver's Motion Materials is hereby validated, so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that all capitalized terms used but not defined herein shall have the meanings ascribed to such terms in the Second Report.

RECEIVER'S ACTIVITIES

3. **THIS COURT ORDERS** that the Second Report and the activities, conduct and decisions of the Receiver described therein are hereby approved; provided that only the Receiver in its personal capacity and only with respect to its own personal liability shall be entitled to rely upon or utilize in any way such approval.

FEES OF THE RECEIVER AND ITS COUNSEL

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver for the period from April 1, 2025 to May 31, 2026, in the amount of \$181,360.50, plus Harmonized Sales Tax ("**HST**") of \$23,576.87, for a total of \$204,937.37, as further set out in the Affidavit of Bryan A. Tannenbaum sworn on June 10, 2026 attached as Appendix "M" to the Second Report, are hereby approved.

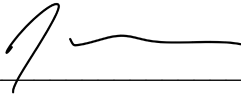
5. **THIS COURT ORDERS** that the fees and disbursements of Thornton Grout Finnigan LLP, insolvency counsel to the Receiver, for the period from April 1, 2025 to May 31, 2026, in the amount of \$57,920.96, plus HST of \$7,529.75, for a total of \$65,450.71, as further set out in the Affidavit of Derek Harland sworn on June 11, 2026 attached as Appendix “N” to the Second Report, are hereby approved.

6. **THIS COURT ORDERS** that the fees and disbursements of Foglers LLP, real estate counsel to the Receiver, for the period from April 1, 2025 to May 31, 2026, in the amount of \$31,417.01, plus HST of \$4,084.22, for a total of \$35,501.23, as further set out in the Affidavit of Joseph Fried affirmed on June 11, 2026 attached as Appendix “O” to the Second Report, are hereby approved.

GENERAL

7. **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.

8. **THIS COURT ORDERS** that this Order is effective as of 12:01 a.m. (EST) from today's date and is enforceable without further need for entry and filing.



APPLICATION UNDER SUBSECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985 c. B-3, AS AMENDED AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, c. C.43, AS AMENDED

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	ONTARIO SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST) Proceedings commenced at Toronto, Ontario
	ORDER (Ancillary Relief)
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