

Court File No. CV-25-00034903-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE Madam) FRIDAY, THE 19th
JUSTICE BEZAIRE) DAY OF DECEMBER, 2025

B E T W E E N:



WINDSOR FAMILY CREDIT UNION LIMITED

Applicant

- and -

1000200839 ONTARIO INC., GASPER GALIFI and HEMANSHU
PATHAK also known as MARTIN PATHAK

Respondents

APPLICATION UNDER section 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

ANCILLARY ORDER

THIS MOTION, made by TDB Restructuring Limited, in its capacity as the Court-appointed receiver (the "**Receiver**") without security, of all of the right, title and interest of 1000200839 Ontario Inc. (the "**Debtor**") in and related to the properties legally described in Schedule "A" hereto (the "**Property**") for an order, among other things, approving the sale transaction (the "**Transaction**") contemplated in the Amended and Restated Agreement of Purchase and Sale between the Receiver and Shelf Corporation was heard this day by videoconference at Windsor Court House, 245 Windsor Ave., Windsor, Ontario.

ON READING the Notice of Motion herein, the First Report of the Receiver dated November 28, 2025 and the Appendices thereto, the Supplement to the First Report, the Confidential Compendium of the Receiver, the affidavit of David DeSantis sworn December 13, 2025, the affidavit of Rocco Tullio sworn December 14, 2025 and the factums of the Receiver and Trinity Woods Inc., and on hearing the submissions of counsel for the Receiver, Trinity Woods Inc. and other interested parties,

1. **THIS COURT ORDERS** that the First Report to the Court dated November 28, 2025 ("**First Report**") and the activities of the Receiver as set out in the First Report 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 the approval of the Receiver's actions and activities.
2. **THIS COURT ORDERS** that the Confidential Appendices 1 to 4 to the First Report listed in the Confidential Compendium are hereby sealed until completion of the Transaction or further Order of this Court.
3. **THIS COURT ORDERS** that the Receiver's statement of cash receipts and disbursements for the period May 20, 2025 to November 30, 2025, is hereby approved.
4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver in the amount of \$116,851.75, inclusive of HST as set out in the Fee Affidavit of Bryan A. Tannenbaum attached as Appendix 16 to the First Report are hereby approved, together with the estimate of remaining fees and disbursements.
5. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's Counsel, Fogler Rubinoff LLP, in the amount of \$126,688.87, inclusive of HST as set out

in the Fee Affidavit of Joseph Fried attached as Appendix 17 to the First Report are hereby approved.

6. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's Counsel, RAR Litigation Lawyers, in the amount of \$3,225.05, inclusive of HST as set out in the Fee Affidavit of Ian Cantor attached as Appendix 18 to the First Report are hereby approved.

7. **THIS COURT ORDERS** that the estimated additional fees and disbursements of the Receiver and its counsel are hereby approved.

8. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to make (or cause to be made) a distribution to the Town of LaSalle in respect of property taxes or other amounts owing to the Town of LaSalle in relation to the Property.

9. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to make (or cause to be made) a distribution to the Applicant in respect of the amounts outstanding on its first mortgages against the Property.

10. **THIS COURT ORDERS** that the Receiver is hereby authorized to maintain such reserves as the Receiver deems appropriate for, *inter alia*, the administration of the receivership estate.

11. **THIS COURT ORDERS** that upon completion of the Transaction pursuant to Approval and Vesting Orders granted contemporaneously with this Ancillary Order for the sale of each of the Phase 1 Lots (Blocks) and Phase 2 Lots listed in Schedule "A" hereto and payment of the amounts set out in paragraphs 4 through 9 hereof and upon the

Receiver filing a certificate certifying that it has completed the other activities described in the Report, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of TDB Restructuring Limited in its capacity as Receiver.

12. **THIS COURT ORDERS AND DECLARES** that upon the filing of the Receiver's Certificate, TDB Restructuring Limited shall be released and discharged from any and all liability that TDB Restructuring Limited now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of TDB Restructuring Limited while acting in its capacity as Receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, TDB Restructuring Limited shall be released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.



Date of issuance: December 22, 2025

(Signature of judge, ~~officer or registrar~~)

SCHEDULE "A"

Phase 1 Lots:

PIN:	DESCRIPTION:
PIN 70512 - 0934 LT	BLOCK 23, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0935 LT	BLOCK 24, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0936 LT	BLOCK 25, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0937 LT	BLOCK 26, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0938 LT	BLOCK 27, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0939 LT	BLOCK 28, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0940 LT	BLOCK 29, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0941 LT	BLOCK 30, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0942 LT	BLOCK 31, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0943 LT	BLOCK 32, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0944 LT	BLOCK 33, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0945 LT	BLOCK 34, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0946 LT	BLOCK 35, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0947 LT	BLOCK 36, PLAN 12M697; TOWN OF LASALLE
PIN 70512 - 0948 LT	BLOCK 37, PLAN 12M697; TOWN OF LASALLE

Phase 2 Lots:

PIN:	DESCRIPTION:
PIN 70512 - 0959 LT	LOT 4, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0960 LT	LOT 5, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0961 LT	LOT 6, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0962 LT	LOT 7, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0963 LT	LOT 8, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0964 LT	LOT 9, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0965 LT	LOT 10, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0966 LT	LOT 11, PLAN 12M701; TOWN OF LASALLE
PIN 70512 - 0970 LT	LOT 15, PLAN 12M701; SUBJECT TO AN EASEMENT IN GROSS OVER PART 5 12R29441 AS IN CE1143573; TOWN OF LASALLE
PIN 70512 - 0977 LT	LOT 22, PLAN 12M701; SUBJECT TO AN EASEMENT IN GROSS OVER PART 12 12R29441 AS IN CE1143573; TOWN OF LASALLE
PIN 70512 - 0978 LT	LOT 23, PLAN 12M701; SUBJECT TO AN EASEMENT IN GROSS OVER PART 13 12R29441 AS IN CE1143573; TOWN OF LASALLE

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PROCEEDING COMMENCED AT
WINDSOR

ANCILLARY ORDER

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