



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: CV-25-00740765-00CL DATE: JUNE 18, 2025

NO. ON LIST: 10

TITLE OF PROCEEDING: **UBC SOLUTIONS INCORPORATED v. 1680 BRIMLEY
LIMITED PARTNERSHIP et al**

BEFORE: **JUSTICE CAVANAGH**

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
Michael Mazzuca	Counsel for the Applicant	Michael@rousseaumazzuca.com
Broghan Masters		broghan@rousseaumazzuca.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Brett Moldaver	Counsel for the Respondents	brett@ moldaverbarristers.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Bryan A. Tannenbaum	Proposed Receiver – TDB Restructuring Limited	btannenbaum@tdbadvisory.ca
Adam Beyhum	Counsel for the Lien Claimants	Abeyhum@rarlitigation.com

ENDORSEMENT OF JUSTICE CAVANAGH:

1. This endorsement is made on consent of the parties.
2. The hearing of the Application is adjourned to **September 10, 2025 at 10:30 a.m.** for 30 minutes by Zoom.
3. Although counsel requested that the hearing be before me, I am not sitting that week. If counsel prefer that I preside over the hearing, they should arrange a date before me on a day in the following week through the Commercial List Office.
4. The Respondents consent to the relief sought in the Applicant's Notice of Application and the Respondents consent to the form and content of the draft Order which is attached at Tab 3 to the Application Record (the "Respondents' Consent").
5. From today to the return of the Application, the Respondents undertake not to transfer, alienate, mortgage, or otherwise encumber the Property (as defined in the Applicant's Notice of Application) or otherwise adversely affect the Security (as defined in the Applicant's Notice of Application) without the Applicant's written approval or further Order of this Court (the "Respondents' Undertaking").
6. If, on or before September 8, 2025, the Respondents repay, in full: (a) the principal amount of the Indebtedness (as defined in the Applicant's Notice of Application); (b) all accrued interest thereon; and, (c) the full amount of the judgment of Astro Excavating Inc., dated June 11, 2025, in Court File No. CV-24-00733855-0000, in satisfaction of the construction lien registered against title to the Mortgaged Lands (as defined in the Applicant's Notice of Application) and receipted as Instrument No. AT6710235 and the amounts owing to Astro Shoring Inc. in relation to the construction lien registered against title to the Mortgaged Lands (as defined in the Applicant's Notice of Application) and receipted as Instrument No. AT6710220; then the Respondents' Undertaking will no longer be in effect, the Respondents' Consent will be void, and the Application will be withdrawn on consent.