



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-25-00751438-00CL

DATE: August 12, 2026

NO. ON LIST: 6

TITLE OF PROCEEDING:

NATIONAL BANK OF CANADA v. THOMAS DYLAN SUITOR

BEFORE: JUSTICE BLACK

PARTICIPANT INFORMATION

For Applicant:

Name of Person Appearing	Name of Party	Contact Info
Patrick J. Corney	Counsel for the National Bank of Canada	pcorney@millerthomson.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Fred Tayar	Counsel for TDB Restructuring Limited	fred@fredtayar.com
Jeff Berger Tanveel Irshad	Receiver – TDB Restructuring Limited	jberger@tdbadvisory.ca tirshad@tdbadvisory.ca

ENDORSEMENT OF JUSTICE:

- [1] This was a motion by TDB in its capacity as Receiver (in this endorsement I will use these and other terms as defined in the Receiver's materials) seeking an order approving the Transaction contemplated by the Sale Agreement between the Receiver and the Purchaser dated June 29, 2026, and vesting in the Purchaser all of the respondent's right, title and interest in the Purchased Assets.

- [2] The Receiver also seeks a sealing order in respect of the confidential appendix, approval of its Second Report, approval of its interim fees and disbursements and those of its counsel, and an order authorizing the Receiver's proposed distributions from the proceeds of sale of the King Property.
- [3] There is no opposition to the relief sought.
- [4] Counsel for the applicant NBC asked that I note that NBC reserves its rights to assert a position with respect to the fees of the Interim Receiver, but that, without prejudice to that position, it has no opposition to the relief sought by the Receiver.
- [5] Having reviewed the Confidential Appendix, I am satisfied that the proposed Transaction is not improvident, and meets the criteria established by the Court of Appeal for Ontario in *Soundair*.
- [6] I am also satisfied that the sealing order meets the test in the Supreme Court of Canada's decisions in *Sierra Club* and *Sherman Estate*.
- [7] I also find that the Receiver's activities as described in the Second Report, and the Second Report itself, are reasonable and appropriate, and I approve them. I also approve the Receiver's fees and disbursements, and those of its counsel, which are reasonable in the circumstances and supported by the evidence in the record.
- [8] Finally, I approve the proposed Interim Distributions, which again are appropriate and justified in the circumstances.
- [9] Accordingly, I am granting the order sought, which I have signed.

Date: Aug 12, 2026



Justice W.D. Black