



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CL-26-00000359-0000

DATE: Aug. 24, 2026

NO. ON LIST: 3

TITLE OF PROCEEDING: BANK OF MONTREAL v. LEATO ENTERPRISE LTD.

BEFORE: JUSTICE S. DUNPHY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Kyla Mahar Gina Rhodes	Counsel for Bank of Montreal	kmahar@millerthomson.com grhodes@millerthomson.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Diana Choi	Self Represented Respondent	DLCHOI899@gmail.com
Andy To	Self Represented Respondent	Andy.to7@gmail.com

ENDORSEMENT OF JUSTICE S. DUNPHY

[1] This application by the Bank for the appointment of a receiver over two Queen Street properties subject to its security was heard before me today. Ms. Choi is the director of the respondent company while Mr. To, her spouse, is the guarantor of the Company's debt.

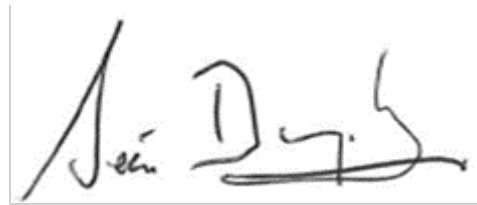
[2] Ms. Choi and Mr. To asked for an adjournment of this hearing. I denied that request.

[3] The affidavit evidence before me establishes that the parties did in fact engage in unsuccessful negotiations towards a forbearance agreement following default and demand in June. The requisite demands and notices were sent in early July. The Application Record was served upon the debtor both by email – the same email Ms. Choi used this morning in court – and at its registered address by courier which is apparently now vacant. I am satisfied that the respondent had adequate notice of the application and has been granted a fair opportunity to respond. The respondent formerly had legal counsel, including in the attempts to negotiate a forbearance agreement. There has

been no agreement to defer this hearing or adjourn it. The Bank has done all that is required of it to have its application heard.

[4] There is no doubt that the Bank has done all that is required to make its security enforceable and its security gives it the right to request the relief being sought today. Of the two properties, one is now vacant and the other has a tenant who is unable to pay the rent in full.

[5] I have granted the Bank's application and am signing the requested order. The order conforms closely to the template. I made a few small revisions to the proposed order at the hearing and upon the return of a clean copy of the order, I shall sign it.

A handwritten signature in black ink, appearing to read "Sean Dunphy", written over a horizontal line.

Date:

Sean Dunphy