

Court File No. CV-24-00715321-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

B E T W E E N:

**CONSTANTINE ENTERPRISES INC.**

Applicant

- AND -

**MIZRAHI (128 HAZELTON) INC. AND  
MIZRAHI 128 HAZELTON RETAIL INC.**

Respondents

**IN THE MATTER OF AN 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**

**RECITALS**

A. Pursuant to an Order of the Honourable Justice Cavanagh of the Ontario Superior Court of Justice (the "**Court**") dated June 4, 2024, KSV Restructuring Inc. was appointed as the receiver (the "**Receiver**") of (a) a certain condominium units located at 126 Hazelton Avenue, Toronto, Ontario and 128 Hazelton Avenue, Toronto, Ontario (as legally described in the Receivership Order of the Honourable Justice Cavanagh dated June 4, 2024); and (b) all of the assets, undertakings and properties of Mizrahi (128 Hazelton) Inc. ("**Hazelton**") and Mizrahi 128 Hazelton Retail Inc.

B. Pursuant to an Order of the Court dated September 20, 2024, the Court approved the sale transaction (the "**Transaction**") contemplated by the 403 APS, the 403 Assignment Agreement, the 403 Consent and Amendment Agreement, and the 2<sup>nd</sup> Unit 403 Amending Agreement, as each term is defined in the Second Report of the Receiver dated August 20, 2024 (the "**Second Report**"), and provided for (i) the vesting in Fawzia Ahmed Gashut (the "**Purchaser**") all of Hazelton's right, title and interest in and to the Purchased Assets; and (ii) the vesting in Constantine Enterprises Inc. all of Hazelton's right, title and interest in and to the Assigned Parking Spot.

C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Second Report or the 403 APS.

THE RECEIVER CERTIFIES the following:

1. The Purchaser has paid and the Receiver has received the Purchase Price for Unit 403 payable on the Closing Date pursuant to the 403 APS;
2. The conditions of closing set out in the 403 APS have been satisfied or waived by the Receiver the Purchaser; and
3. The Transaction has been completed to the satisfaction of the Receiver.
4. This Certificate was delivered by the Receiver at \_\_9:00am\_\_ on October 31, 2024 .

**KSV Restructuring Inc., in its capacity as  
Receiver of the assets, undertakings and  
properties of Mizrahi (128 Hazelton) Inc. and  
Mizrahi 128 Hazelton Retail Inc., and not in  
its personal capacity**

Per: Signed by:  
*Bobby Kofman*  
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Name: Bobby Kofman  
Title: President and Managing Director