

No. S-244083 Vancouver Registry

## IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

KINGSETT MORTGAGE CORPORATION

**PETITIONER** 

AND:

3000 HENRY STREET LIMITED PARTNERSHIP

and

0790857 B.C. LTD.

RESPONDENTS

IN THE SUPREME COURT OF BRITISH COLUMBIA IN BANKRUPTCY AND INSOLVENCY

IN THE MATTER OF RECEIVERSHIP OF 3000 HENRY STREET LIMITED PARTNERSHIP AND 0790857 B.C. LTD.

## **ORDER MADE AFTER APPLICATION**

DISTRIBUTION ORDER

BEFORE THE HONOURABLE JUSTICE STEPHENS

December 17, 2024

ON THE APPLICATION of KSV Restructuring Inc., in its capacity as the Court-appointed receiver (in such capacity, the "Receiver") of the assets, undertakings, and property of 3000 Henry Street Limited Partnership and 0790857 B.C. Ltd. (together, the "Debtors"), coming on for hearing at Vancouver, British Columbia on December 9, 2024, on December 10, 2024, and on December 17, 2024; AND ON HEARING Vicki Tickle and Mihai Tomos, counsel for the Receiver, and those other counsel listed in Schedule "A" hereto, and no one else appearing although duly served; AND UPON READING the material filed herein, including the Second Report of the Receiver dated December 2, 2024 (the "Second Report");

## THIS COURT ORDERS AND DECLARES THAT:

- 1. Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Second Report.
- 2. The Receiver is hereby authorized to make one or more distributions from the Purchase Price in such amount or amounts as the Receiver determines advisable to KingSett Mortgage Corporation ("KingSett") by way of repayment of the indebtedness owing to KingSett by the Debtors.
- 3. The Receiver is hereby authorized to make distributions from the Purchase Price for the Priority Amounts, including a distribution to Colliers Macaulay Nicolls Inc. for the Work Fee.
- 4. Endorsement of this Order by counsel appearing on this application, other than counsel for the Receiver, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Mihai Tomos, Lawyer for the Receiver

BY THE COURT

REGISTRAR

## SCHEDULE "A" LIST OF COUNSEL

PARTY REPRESENTED
KingSett Mortgage Corporation
1496619 B.C. Ltd.