



COUNSEL SLIP

COURT FILE NO. 19-622054

DATE: 20-AUGUST-2019

No. ON LIST ADD ON

TITLE OF PROCEEDING

KSV FIRST SOURCE

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August 20, 2019

Mr. ~~Robinson~~ Robinson has expressed concern that the order (and my endorsement) has been posted on the Receiver's web site.

Mr. ~~Reynolds~~^{Reynolds} points to The undertaking given by The Receiver That it would not "act on" The order before 5:00 PM August 26.

He argues That The posting of The order on The website is inconsistent with That w/t.

I do not agree. "Act on" to my mind means taking steps pursuant to The order in The sense of enforcing - i.e., proceeding with a sale.

What is really at stake here is whether The order ought to have been sealed until 5:00 PM August 26.

I cannot see That I would have agreed to do That.

Superior Court of Justice
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Judges Endorsment Continued

The test for a sealing order is a stringent one. There has to be more than just the parties' interests at stake.

The concern is that some knowing about the order might affect the Debtors ability to find new financing.

There is no evidence to support this.

The Receivership is a matter of public record.

The motion for the sale Approval was a matter of public record.

The court concludes that simply by dint of the order being seen by the public

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The purpose of the undertaking
to defer enforcement to
August 26 would be
understood.

I am therefore best prepared
to make any further order.

