



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00710990-00CL

DATE: August 15, 2024

NO. ON LIST: 3

TITLE OF PROCEEDING: FOREMOST MORTGAGE HOLDING CORPORATION v. 2521311
ONTARIO INC. O.A. TOWNS OF THORNBURY

BEFORE: JUSTICE CONWAY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Edmond Lamek	Lawyers for the Receiver	edmond.lamek@dlapiper.com
Bobby Kofman	Court-Appointed Receiver	bkofman@ksvadvisory.com
Jeffrey Larry	Lawyers for Foremost Mortgage Holding Corporation	jeff.larry@paliareroland.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Rajiv Joshi	Counsel for Creditor/APS Purchaser of 3 Units Jose Cruz	rjoshi@srtslegal.com

ENDORSEMENT OF JUSTICE CONWAY:

- [1] Motion by the Receiver for an AVO and an Ancillary Order. The motion is unopposed.
- [2] The AVO is granted. The sale process conducted by the Receiver meets the *Soundair* factors and the transaction represents the best recovery available for the property.
- [3] The relief in the Ancillary Order is granted. The 10% holdback for the construction liens is in accordance with s 22(1) of the *Construction Act* (Ontario). It is not opposed by the lien claimants. The activities and fees are approved.
- [4] Two orders to go as signed by me and attached to this Endorsement. These orders are effective from today's date and are enforceable without the need for entry and filing.

Conway J.