



Court File No. CL-26-00000201-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MADAM	)	TUESDAY, THE 22 nd DAY
	)	
JUSTICE J. DIETRICH	)	OF SEPTEMBER 2026

B E T W E E N:

THE TORONTO-DOMINION BANK

Applicant

and

CHOICE WHOLESALE MEATS LTD. operating as CHOICE WHOLESALE MEATS, PAUL RAPANARO also known as PAOLO RAPANARO, ANTONIO RAPANARO also known as TONY RAPANARO, MARIO RAPANARO and STEFANIA RAPANARO

Respondents

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

ORDER
(ANCILLARY RELIEF ORDER)

THIS MOTION, made by Albert Gelman Inc. (“**AGI**”), as the Receiver and Manager (in such capacity, the “**Receiver**”), without security, of all of the assets, undertakings and properties of Choice Wholesale Meats Ltd. operating as Choice Wholesale Meats (the “**Debtor**”) and as Receiver of the real property municipally known as 2877 Dufferin Street, Toronto, Ontario (the “**Dufferin Property**”), legally described in PIN 10226-0202 (LT), and as further described in Schedule “A” herein, for ancillary relief in connection with an approval and vesting order, dated

September 22, 2026, was heard this day at the courthouse at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion of the Receiver, the First Report of the Receiver dated September 15, 2026 (the “**First Report**”), and on hearing the submissions of counsel for the Receiver and the other parties listed on the counsel slip, no one appearing for any other party although duly served as appears from the affidavit of service, filed:

A. *Service*

1. THIS COURT ORDERS that the time for service of the Receiver’s Notice of Motion and Motion Record is hereby abridged and validated such that this Motion is properly returnable today and hereby dispenses with further service thereof.

B. *Fees, Receipts and Disbursements*

2. THIS COURT ORDERS AND DECLARES that the fees and disbursements of the Receiver and its counsel, as set out in the Fee Affidavit of Adam Zeldin, sworn September 15, 2026, and the Fee Affidavit of Monika Gugu, sworn September 15, 2026, are hereby approved, and the Receiver is authorized and directed to pay all such fees which remain unpaid at this time.

C. *Distributions*

3. THIS COURT ORDERS that the Receiver is authorized and directed to make the Distribution as described and defined in the First Report.

4. THIS COURT ORDERS THAT the distribution to the Applicants is without prejudice to any arguments, positions, claims, rights or entitlements that any person may now have, or could have or has made to date or may hereafter decide to make in relation to the Dufferin Property, and without limiting the generality of the foregoing, does not prejudice any claims or rights that any

person has or may have under the foregoing general wording as well as (i) to claim to subrogate to any of the security or loan debt held by the Applicants, or in relation to duties and obligations relating thereto or claims under Section 2 of the *Mercantile Law Amendment Act* or otherwise, (ii) to claims relating to rights arising from Section 2 of the *Mortgages Act*, (iii) to claim contribution and indemnity from any person (other than, for certainty, against the Receiver); and (iv) to assert any marshalling arguments provided that, for certainty, no party may make any claim against any recipient on account of proceeds received from the Distribution.

D. Sealing Order

5. THIS COURT ORDERS that Confidential Appendix 1 to the First Report shall be treated as confidential, sealed and not form part of the public court record until all conditions to closing the asset purchase agreement between the Receiver and 1001717667 Ontario Inc. (the “**Purchaser**”), dated August 5, 2026, as amended, have been satisfied or waived by the Receiver and the Purchaser and the Transaction has been completed to the satisfaction of the Receiver or further Order of this Court.

E. General

6. THIS COURT ORDERS that the First Report and the conduct and activities of the Receiver set out therein be and are hereby approved.

7. THIS COURT ORDERS that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way that approval of the First Report detailed in paragraph 6 above.

8. THIS COURT ORDERS that this Order and all of its provisions are effective as of 12:01 a.m. Toronto Time on the date of this Order and are enforceable without the need for entry and filing.



SCHEDULE A – the Dufferin Property

THE DEBTOR’S REAL PROPERTY

PIN No. 10226-0202 LT

PT LT 369 PL 1911 TWP OF YORK AS IN TR76372; S/T TR76372 EXCEPT THE
EASEMENT THEREIN; TORONTO (N YORK), CITY OF TORONTO

Known municipally as, 2877 Dufferin Street, Toronto, ON (the “**Dufferin Property**”).

THE TORONTO-DOMINION BANK

Applicant

-and- CHOICE WHOLESALE MEATS LTD., et al.

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ANCILLARY AND DISCHARGE ORDER

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