

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE *MR.*)
JUSTICE *H.J. Wilton Sibbald*)

THURSDAY, THE 28TH)
DAY OF JULY, 2016) *HWJ*



IN THE MATTER OF THE BANKRUPTCY AND INSOLVENCY ACT,
R.S.C.1985, e.B.3, AS AMENDED

AND IN THE MATTER OF THE PROPOSAL OF 1079042 ONTARIO INC.
OF THE CITY OF TORONTO IN THE PROVINCE OF ONTARIO

ORDER

THIS MOTION, made by Albert Gelman Inc. as trustee under the proposal of 1079042 Ontario Inc. (“the Company”), pursuant to the *Bankruptcy and Insolvency Act* (Canada), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and the affidavit of Joe Albert sworn July 13th, 2016 and on hearing the submissions of Counsel for the Proposal Trustee, no one else appearing although duly served as appears from the affidavit of Barbara Joy sworn July 18th, 2016.

1. **THIS COURT ORDERS** that the time for service of the Notice of Application and the Application Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that Paragraph 2 of the Order of the Honourable Mr. Justice Wilton-Siegel dated June 3, 2016 is amended to increase the Trustee's current Administration Charge from \$20,000.00 to \$120,000.00 and to delete the reference to "the Company's Counsel";

does not constitute an encumbrance for the purposes of section 1(a) of the order

3. **THIS COURT ORDERS** that the Administration Charge is not affected by the ~~injunction~~ granted by The Honourable Justice Archibald on March 23rd, 2016, *in action CV-16-549039,*

AWES

4. ~~**THIS COURT ORDERS** that the injunction granted in Action CV16-549039 by the Honourable Justice Archibald on March 23rd, 2016 does not apply to the Administration Charge.~~ *AWES*

Cydon-H.V.

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OMEGA

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