

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

THE HONOURABLE )

THURSDAY, THE 24<sup>TH</sup>

JUSTICE )

*Hailey*

)

DAY OF JULY, 2018

)

IN THE MATTER OF AN APPLICATION PURSUANT TO THE  
RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT, R.S.O. 1990, c.  
R.5

AND IN THE MATTER OF AN AMENDED ORDER OF THE SUPREME  
COURT OF NOVA SCOTIA ISSUED MARCH 22, 2013

BETWEEN:

ESTATE OF MARLA BENNETT, MICHAEL BENNETT,  
LINDA BENNETT and LISA BENNETT

Plaintiffs

and

ISLAMIC REPUBLIC OF IRAN and  
IRANIAN MINISTRY OF INFORMATION AND SECURITY

Defendants

and

THE ATTORNEY GENERAL FOR CANADA

Intervener

AND BETWEEN:

EDWARD TRACY, by his Litigation Guardian Charles Murphy, ELIZABETH  
CICCIPIO-PULEO, estate of HELEN FAZIO, estate of DOMENIC CICIPPIO,  
DAVID B. CICIPPIO, ERIC R. CICIPPIO, RICHARD DENNIS CICIPPIO,  
THOMAS J. CICIPPIO, estate of PAUL V. CICIPPIO, ALLEN JOHN  
CICIPPIO, estate of ROSE ABELL, ANTHONY CICIPPIO, estate of  
ALEXANDER CICIPPIO, NICHOLAS B. CICIPPIO and estate of JOSEPH J.  
CICIPPIO JR.

Applicants

and

THE IRANIAN MINISTRY OF INFORMATION AND SECURITY,  
THE ISLAMIC REPUBLIC OF IRAN and  
THE IRANIAN REVOLUTIONARY GUARD CORP.

Respondents

## ORDER

**THIS MOTION** made by **ALBERT GELMAN INC.** ("Receiver"), in its capacity as equitable receiver and receiver in aid of execution of 290 Sheppard Avenue West, Toronto, Ontario and 2 Robinson Avenue, Ottawa, Ontario, which properties were found by the court to be beneficially owned by the Islamic Republic of Iran, for an Order, *inter alia*:

- (a) approving the First Report of the Receiver and the actions of the Receiver described therein;
- (b) approving the Confidential First Report of the Receiver dated July 9, 2018 ("Confidential First Report") accompanied with an Order the sealing the Confidential First Report, until such time as 290 Sheppard Avenue West, Toronto, ON (the "Toronto Property") and 2 Robinson Avenue, Ottawa, ON (the "Ottawa Property") have been sold and conveyed to the purchaser(s);
- (c) authorizing the Receiver to dispose of the contents of the Toronto Property;
- (d) authorizing the Receiver to dispose of the vehicles as described hereinafter located at the Ottawa Property;
- (e) authorizing the Receiver to relocate the two safes at the Ottawa Property to an offsite location to be opened by the Receiver;
- (f) approving the professional fees and disbursements of the Receiver and its legal counsel;

was heard this day at 330 University Avenue, 9<sup>th</sup> Floor, Toronto, Ontario.

**ON READING** the First Report of the Receiver dated July 9, 2018 and appendices annexed thereto and upon reading the fee affidavit of Bryan Gelman dated July 9, 2018 and exhibits attached thereto (the "Receiver's Fee Affidavit") and the fee affidavit of Jason Spetter sworn July 9, 2018 and the exhibit attached thereto in relation to the fees of legal counsel to the Receiver (the "Legal Counsel Fee Affidavit" and collectively with the Receiver's Fee Affidavit, the "Fee Affidavits") and on hearing the submissions of counsel for the Receiver and such other parties as are present,

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record be and is hereby abridged and validated such that this motion is properly returnable this day and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that the activities and actions of the Receiver, including the Interim Statement of Receipts and Disbursements dated July 5, 2018 as set out in its First Report, be and are hereby approved.

3. **THIS COURT ORDERS** that the Receiver's Confidential First Report dated July 9, 2018 be and are hereby approved and that the Confidential First Report shall be sealed until such time as 290 Sheppard Avenue West, Toronto, ON (the "Toronto Property") and 2 Robinson Avenue, Ottawa, ON (the "Ottawa Property") have been sold and conveyed to the purchaser(s).

4. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to dispose of the contents of the Toronto Property as described in the Receiver's First Report.

5. **THIS COURT ORDERS** the Receiver be and is hereby authorized to dispose of the following vehicles located at the Ottawa Property:

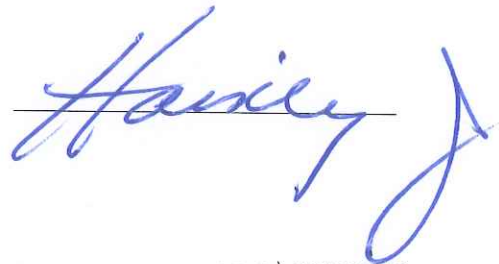
- (a) Toyota Camry LE sedan, VIN# JTDBF32KO3O133997, no license plate;
- (b) Mazda MPV LX van, VIN# JM3LW28J520329176, license plate no. AXDP 574.

6. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to relocate the two safes at the Ottawa Property to an offsite location to be opened by the Receiver.

7. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel, all as set out in the First Report and Fee Affidavits, be and are hereby approved.

8. **THIS COURT ORDERS** that service of any future material in connection with this receivership shall be made on Farhangeiran Inc. and The Mobin Foundation by publication in the National Post of a notice of pending hearing substantially in the form attached hereto as Schedule "A" which notice shall be published not less than 5 calendar days prior to the return date of any pending hearing.

9. **THIS COURT ORDERS** that the Orders of Madame Justice Greer made June 26, 2013 and Mr. Justice Hainey made May 22, 2018 respecting service on Farhangeiran Inc. be and are hereby varied accordingly with the balance of the said Orders remaining in place.



ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO:

JUL 24 2018

PER / PAR: *RW*

SCHEDULE "A"

ONTARIO SUPERIOR COURT OF JUSTICE

TO: FARHANGEIRAN INC. and THE MOBIN FOUNDATION

Take notice that pursuant to the Order of the Honourable Justice Hainey dated May 22, 2018 Albert Gelman Inc. was appointed as equitable receiver and receiver in aid of execution (the "Receiver") over the properties beneficially owned by the Islamic Republic of Iran municipally known as 290 Sheppard Avenue West, Toronto, ON with legal title being held in the name of Farhangeiran Inc. and 2 Robinson Avenue, Ottawa, ON with legal title being held in the name of The Mobin Foundation.

The Receiver has made an application to Court returnable on July 24, 2018 at the court house, 330 University Avenue, 9<sup>th</sup> Floor, Toronto, Ontario, Canada.

To obtain copies of the material filed you may visit the Receiver's website at: <http://www.albertgelman.com/corporate-solutions/other-engagements/> under the title "Islamic Republic of Iran ats Edward et al." or may contact legal counsel to the Receiver, Mr. Sean N. Zeitz of Lipman Zener Waxman LLP at [szeitz@lzwlaw.com](mailto:szeitz@lzwlaw.com) or at 416-789-0652 ext. 307.

It has been ordered that service on you of any proceedings in connection with the Receiver's appointment be effected by this notice.

ESTATE OF MARLA BENNET et al.  
Plaintiffs

- and -

ISLAMIC REPUBLIC OF IRAN et al.  
Defendants

EDWARD TRACY et al.  
Applications

-and-

THE IRANIAN MINISTRY OF INFORMATION AND SECURITY et al.  
Respondents

Court File No. CV-13-10204-00CL  
Court File No. CV-14-10403-00CL

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
COMMERCIAL LIST  
Proceeding commenced at  
TORONTO

**ORDER**

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Lawyers for the Receiver,  
Albert Gelman Inc.