

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

THE HONOURABLE) MONDAY, THE 27TH
JUSTICE J. DIETRICH)
DAY OF JANUARY, 2025

B E T W E E N:

PAUL JOSEPH DIETRICH

Applicant

- and -

STEVEN ROBERT MCLAREN

Respondent

APPLICATION UNDER SECTIONS 207, 209 AND 210 OF THE
BUSINESS CORPORATIONS ACT, R.S.O. 1990, c. B.16

ANCILLARY ORDER

THIS MOTION, made by Albert Gelman Inc. in its capacity as the Court-appointed liquidator (in such capacity, the "**Liquidator**") of all the assets, undertakings and properties of 1827403 Ontario Inc., 1853997 Ontario Inc., 1885926 Ontario Inc., 1950940 Ontario Inc., 1950941 Ontario Inc. and 1950979 Ontario Inc. (collectively, the "**Companies**") for an order (i) authorizing the distribution of the Proven Claims; and (ii) approving the Seventh Report of the Liquidator dated January 23, 2025 (the "**Seventh Report**") and the fees and disbursements of the Liquidator and its legal counsel was heard by videoconference.

ON READING the Seventh Report and the affidavits of fees of Bryan Gelman sworn on January 22 ,2025 (the “**Gelman Fee Affidavit**”) and R. Brendan Bissell sworn January 23, 2025 (the “**Bissell Fee Affidavit**”), on hearing the submissions of counsel for the Liquidator, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Julie Mah sworn January 24, 2025, filed:

SERVICE AND DEFINITIONS

1. **THIS COURT ORDERS** that the time for service of the notice of motion, the Seventh Report, and the Liquidator’s factum 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 all capitalized terms not expressly defined herein shall have the meaning ascribed to them in the Claims Process Order dated February 21, 2024 (the “**Claims Process Order**”).

DISTRIBUTION

3. **THIS COURT ORDERS AND AUTHORIZES** the Liquidator to distribute to those Creditors who filed a Proven Claim with the Liquidator, in accordance with the terms in the Claims Process Order, in the amounts not disallowed by the Liquidator, being:

- a. \$699,071 to Parkview Homes Inc.; and
- b. \$6,359 to 1612328 Ontario Inc.

APPROVAL OF LIQUIDATOR’S SEVENTH REPORT AND FEES

4. **THIS COURT ORDERS** that the Seventh Report, the activities of the Liquidator described in the Seventh Report, and the Liquidator’s final statements of receipts and disbursements for

each of the Companies as at January 10, 2025 appended as Appendix “E” to the Seventh Report, be and are hereby approved, provided, however, that only the Liquidator in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

5. **THIS COURT ORDERS** that the fees, expenses and disbursements of the Liquidator, for the period from February 7, 2024 to December 31, 2024 as set out in the Gelman Fee Affidavit as well as further fees up to the estimated fee accruals to complete the Liquidator’s mandate, being \$75,000 plus HST and administrative costs of \$30,000 plus HST, are hereby approved without the need for further approval of the Court. The Liquidator is hereby authorized and directed to pay the same from available funds forthwith.

6. **THIS COURT ORDERS** that the fees, expenses and disbursements of the Liquidator’s counsel, Reconstruct LLP, for the period from February 1, 2024 to December 31, 2024 as set out in the Bissell Fee Affidavit as well as further fees up to the estimated fee accruals to complete the Liquidator’s mandate, being \$30,000 plus HST, are hereby approved without the need for further approval of the Court. The Liquidator is hereby authorized and directed to pay the same from available funds forthwith.

GENERAL

7. **THIS COURT ORDERS** that the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or outside of Canada to give effect to this Order and to assist the Liquidator and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Liquidator, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Liquidator and its agents in carrying out the terms of this Order.

8. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. Eastern Time on the date of this Order.

A handwritten signature, appearing to be the letter 'A', is written above a horizontal line. The signature is positioned on the left side of the line, and the line extends to the right.

PAUL JOSEPH DIETRICH
Applicant

STEVEN ROBERT MCLAREN
Respondent

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RECONSTRUCT LLP

Richmond-Adelaide Centre
120 Adelaide Street West, Suite 2500
Toronto, ON M5H 1T1

R. Brendan Bissell (LSO No. 40354V)

Tel: (416) 613-0066
Email: bbissell@reconllp.com

Simran Joshi (LSO No. 89775A)

Tel: (416) 728-3603
Email: sjoshi@reconllp.com

Lawyers for Albert Gelman Inc. in its capacity as the Court-appointed liquidator of 1827403 Ontario Inc., 1853997 Ontario Inc., 1885926 Ontario Inc., 1950940 Ontario Inc., 1950941 Ontario Inc. and 1950979 Ontario Inc.