



ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CL-26-00000005-0000

DATE: January 16, 2026

NO. ON LIST: 2

TITLE OF PROCEEDING: WINDSOR PRIVATE CAPITAL LIMITED PARTNERSHIP ET AL V.
2352107 ONTARIO INC.

BEFORE: JUSTICE JANA STEELE

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|-----------------------------|-----------------------|
| Harvey Chaiton | Counsels for the Applicants | harvey@chaitons.com |
| David Im | | dim@ichaitens.com |
| Liam Scanlon | | lscanlon@chaitons.com |

For Defendant, Respondent, Responding Party:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|---|-----------------------------------|
| Paolo Abate | Secretary of Respondent, 2352107 Ontario Inc | paolo.abate@havendevolutions.ca |
| Anthony Abate | Director of Respondent, 2352107 Ontario Inc | anthony.abate@havendevolutions.ca |
| Ian Cantor | Counsel 2372754 Ontario Limited | icantor@rarlitigation.com |

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| Wendy Ngai | Counsel for 2372754 Ontario Limited | wngai@rarlitigation.com |
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Party For Other, Self-Represented:

| Name of Person Appearing | Name of Party | Contact Info |
|--------------------------|---|-------------------------------|
| Stephanie Fernandes | Counsel for National Bank of Canada | sfernandes@tgf.ca |
| James MacLellan | Counsel for Westmount | jmaclellan@blg.com |
| Jordan Kupinsky | Partner Windsor Private Capital | jordan.kupinsky@windsorgp.com |
| Nick Tsimidis | For First Mortgage Administration Corp. | nick.tsimidis@unioncapital.ca |
| Haris Masood | Senior Associate at Windsor Private Capital | haris.masood@windsorgp.co |


ENDORSEMENT OF JUSTICE JANA STEELE:

- [1] The applicants seek the appointment of Albert Gelman Inc. as receiver of the property municipally located at 175 Melvin Robson Avenue, Aurora, Ontario together with all assets of the Debtor on or relating to the Real Property.
- [2] Defined terms used in this endorsement have the meaning set out in the applicants' factum.
- [3] Certain individuals, who are officers and/or directors of 2352107 Ontario Inc, requested a 30-day adjournment so they could provide responding materials.
- [4] The requested adjournment was opposed by the applicants, Westmount, and National Bank of Canada. 2372754 Ontario Limited¹ took no position on the adjournment request.
- [5] After hearing from the parties, I determined that a brief adjournment was

¹ The Debtor holds legal title to the Real Property as nominee for 2374563 Ontario Limited and 2372754 ontairo Limited as beneficial owners.

appropriate in the circumstances.

- [6] The applicants indicated that there was some urgency to the matter because, among other things, there is an agreement for the sale of certain units, which Mr. Chaiton (applicants' counsel) indicated was scheduled to close at the end of January. However, Mr. Kupinsky's evidence is that because of certain construction deficiencies, some purchasers have advised the applicants that they will not close on their unit purchase until the deficiencies have been remedied. His evidence is that because of a lack of liquidity, the Debtor is unable to remediate the construction deficiencies and discharge certain construction liens registered on title to the Real Property. The application materials were served on the respondents on or about January 9, 2026, following service of the demands and NITES, which were delivered on or about December 29, 2025 and January 6, 2026.
- [7] Accordingly, the matter is adjourned to **January 23, 2026, at 11 am (90 minutes) via Zoom**, before me, subject to my availability on the Commercial List. Any responding materials shall be delivered by the end of the day on January 20, 2026.



Date: January 16, 2026

JUSTICE JANA STEELE