

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE **Mr.** JUSTICE **HAINES** ) FRIDAY THE 4<sup>TH</sup> DAY  
 ) OF DECEMBER 2015

B E T W E E N:

BUSINESS DEVELOPMENT BANK OF CANADA

Applicant

and



AVENTURA II PROPERTIES INC., PAVILION SPORTS CLUBS INC.,  
PAVILION SPORTS ICE INC., PAVILION SPORTS FOOD AND BEVERAGE  
INC., and PAVILION AQUATIC CLUB INC.

Respondent

**ORDER**

**THIS MOTION**, made by **POLLARD & ASSOCIATES INC.** in its capacity as the Court-appointed Receiver (the "Receiver") of Aventura II Properties Inc., ("Aventura") Pavilion Sports Clubs Inc., ("PSCI") Pavilion Sports Ice Inc., ("PSII") Pavilion Sports Food and Beverage Inc., ("PSFB"), Pavilion Aquatic Club Inc., ("PACI") Pavilion Clubs Inc., ("PCI"), 1887722 Ontario Ltd., ("188") 1688902 Ontario Inc., ("168") and Forza Fitness Ltd., ("FFL") (collectively, the "Debtors"). for an order approving the actions of the Receiver since July 1, 2015 and for an order for distribution of funds held by the Receiver to the Secured Creditor was heard this day at the Ontario Superior Court of Justice, 330 University Avenue, Toronto, Ontario.

**ON READING** the Fourth Report of the Receiver and on hearing the submissions of counsel for the Receiver, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Tracey Mason sworn November 9, 2015 filed:

1. **THIS COURT ORDERS** that service of the Notice of Motion and Motion Record are hereby validated such that the motion is properly returnable on today's date and no further service of the Notice of Motion and Motion Record is required.
2. **THIS COURT ORDERS** that the actions and activities of the Receiver since the preparation of the Second Report to the Court dated July 1, 2015 are hereby approved.
3. **THIS COURT ORDERS** that the distribution of funds held by the Receiver in the amount of \$800,000.00 to Duca Financial Services Credit Union Ltd. is hereby approved.

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



DEC 04 2015

*Hanley J.*

BUSINESS DEVELOPMENT BANK OF  
CANADA

Applicant

and

AVENTURA II PROPERTIES INC. ET AL

Respondents

Court File No. CV-13-10285-00 CL

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

**ORDER**

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