

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE MR. )  
JUSTICE PENNY )  
TUESDAY, THE 20<sup>TH</sup>  
DAY OF SEPTEMBER, 2016

BETWEEN:

**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.**

Respondents

**ORDER**

**THIS MOTION**, made by the Receiver, Pollard & Associates Inc. (the "Receiver"), for, among other things, an Order approving the actions and activities of the Receiver since the Seventh Report dated February 22, 2016, an Order approving the Interim Statement of Receipts and Disbursements of the Receiver and an Order approving the fees of the Receiver and the fees and disbursements of the Receiver's counsel, was heard this day at 330 University Avenue, 8th Floor, Toronto, Ontario.

**ON READING** the Notice of Motion of the Receiver returnable on September 20, 2016, the Eighth and Ninth Reports of the Receiver and Schedules thereto, the Affidavit of Angela Pollard sworn September 8, 2016 and exhibits thereto, the affidavit of Ankur Narula sworn September 8, 2016 and exhibits thereto, the Affidavit of Nadia Pannozo sworn September 19, 2016 and exhibits thereto and the Affidavit of Timothy R. Dunn sworn September 20, 2016 and exhibits thereto and on hearing the submissions of counsel for the Receiver, DUCA Financial Services Credit Union Ltd., 2518571 Ontario Inc. and Collins Barrow Toronto Limited,

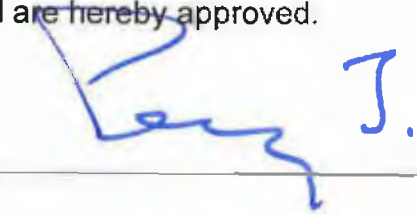
1. **THIS COURT ORDERS** that the request by 2518571 Ontario Inc. for an adjournment of the Receiver's motion to permit cross-examinations on the Affidavits of Angela Pollard and Ankur Narula be and is hereby denied.

2. **THIS COURT ORDERS** that the activities of the Receiver as set out in the Eighth and Ninth Reports of the Receiver be and are hereby approved.

3. **THIS COURT ORDERS** that the Interim Statement of Receipts and Disbursements of the Receiver as appended to the Ninth Report of the Receiver be and is hereby approved.

4. **THIS COURT ORDERS** that the fees of the Receiver as of July 31, 2016 in the amount of \$643,793.50 plus HST in the amount of \$83,693.16 for total of \$727,486.70 be and are hereby approved.

5. **THIS COURT ORDERS** that the fees and disbursements of counsel for the Receiver as of August 26, 2016 in the amount of \$312,278.59 plus HST in the amount of \$40,360.02 for a total of \$352,638.61 be and are hereby approved.



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

SEP 20 2016

PER / PAR:



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**BUSINESS DEVELOPMENT BANK OF CANADA**

**-and-**

**AVENTURA II PROPERTIES INC., et al.**

**Applicant**

**Respondents**

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

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
Commercial list**

Proceeding commenced at Toronto

**ORDER**

**DEVRY SMITH FRANK LLP**

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Solicitors for the Receiver,  
Pollard & Associates Inc.