

Court File No. CV-14-10703-00CL
Court File No. CV-14-10738-00CL
Estate File No. 32-158763
Estate File No. 31-457847



**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

THE HONOURABLE
JUSTICE HAINEY

) TUESDAY THE 15th
) DAY OF AUGUST, 2017

B E T W E E N:

ROMAS KARTAVICIUS and
BUSINESS DEVELOPMENT BANK OF CANADA

Applicants

and

OAK BAY DEVELOPMENTS INC. and OAK BAY GOLF CLUB INC.

Respondents

ORDER

THIS MOTION made by Pollard & Associates Inc., in its capacity as the Court-appointed Receiver (the “Receiver”) of the Respondents, Oak Bay Developments Inc. (referred to herein as “Oak Bay”) and Oak Bay Golf Club Inc. (referred to herein as “Oak Bay Golf” or “Debtors”) for an order, *inter alia*, accepting and approving the actions and activities of the Receiver as set out in the Tenth Report of the Receiver dated July 27, 2017 (“the Tenth Report”) was heard this day at the *Ontario* Superior Court of Justice, 330 University Avenue, Toronto, Ontario.

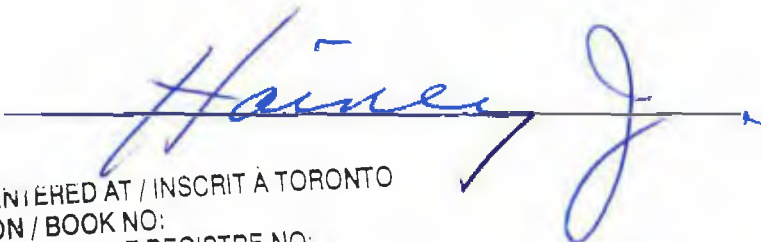
ON READING the Tenth Report and on hearing submissions of counsel for the Receiver, the ~~Applicant~~, _____ no one else appearing, despite having been duly served with notice of this motion;

A handwritten signature in blue ink, appearing to be "JH", is written over the signature line of the Receiver.

1. **THIS COURT ORDERS** that service of the Motion Record, including the Notice of Motion and the Tenth Report, is hereby validated and the time for service abridged as necessary such that the motion is properly returnable today and further service of the Motion Record is not required.

2. **THIS COURT ORDERS** that notwithstanding the provisions of subsection 171(3) of the *Business Corporations Act* (Ontario) (the "OBCA"), the Receiver be and is hereby authorized and directed, to complete, execute and file articles of amendment for and on behalf of each of the Debtors and any officer and director of each Debtor (each such articles of amendment to be deemed to have been signed by a director or an officer of the applicable Debtor and executed in accordance with the OBCA when so signed by the Receiver as directed by this Court) for the sole purpose of changing the corporate name of Oak Bay to 2074129 Ontario Inc. and the corporate name of Oak Bay Golf to 2182663 Ontario Inc. (and such amendments shall be deemed to have been duly authorized by Section 168 of the OBCA without any shareholder or director resolution approving such amendments being required), and this Court hereby directs the Director (as defined in the OBCA) to endorse thereon certificates of amendment upon receipt from the Receiver of two duplicate originals of each such articles of amendment together with the prescribed fees and any other required documents under the OBCA (which the Receiver be and is hereby authorized and directed to complete, execute and file for and on behalf of the Debtors and any officer and director of the Debtors, if and as required) except for any such documents as have been dispensed or otherwise dealt with pursuant to the deeming provisions contained herein.




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

AUG 15 2017

PER / PAR: 

ROMAS KARTAVICIUS ET AL

OAK BAY DEVELOPMENTS INC. ET
AL
and

Court File No. CV-14-10703-00 CL
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Plaintiffs

Defendants

ONTARIO
SUPERIOR COURT OF JUSTICE
Proceeding commenced at TORONTO

ORDER

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Lawyers for Pollard & Associates Inc., in its
capacity as Court-appointed Receiver of Oak
Bay Developments Inc. and Oak Bay Golf Club
Inc.