



Court File No. CV-19-00628293-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Electronically issued : 11-May-2022
Délivré par voie électronique : 11-May-2022
Toronto

THE HONOURABLE) TUESDAY, THE 10th
)
JUSTICE CONWAY) DAY OF MAY, 2022

BETWEEN:

CANADIAN IMPERIAL BANK OF COMMERCE

Plaintiff

- and -

SIMRANJIT DHILLON, MANDHIR DHILLON, SARBJIT DHILLON, MANDEEP DHILLON, 908593 ONTARIO LIMITED, (OPERATING AS EAGLE TRAVEL PLAZA, 402 ESSO TRAVEL CENTRE, EAGLE FLEET SERVICES, 18 WHEELER TRUCK STOP AND BLOOMFIELD TRUCK STOP), 1393382 ONTARIO LIMITED, 2145744 ONTARIO LIMITED, 2145754 ONTARIO LIMITED, 1552838 ONTARIO INC., 2189788 ONTARIO INC., 2123618 ONTARIO LIMITED, 1849722 ONTARIO LTD., 2469244 ONTARIO LIMITED, 2364507 ONTARIO LIMITED, 1254044 ONTARIO LIMITED, 2612550 ONTARIO LIMITED, 2541899 ONTARIO LIMITED, 2571279 ONTARIO INC., 2541900 ONTARIO LIMITED, 2587984 ONTARIO INC., 2561534 ONTARIO LIMITED, 2431264 ONTARIO INC., 2542372 ONTARIO INC., 2034039 ONTARIO INC., 5009770 ONTARIO LIMITED, 5009771 ONTARIO LIMITED, 1107943 ONTARIO INC., 1786675 ONTARIO LIMITED, 1797598 ONTARIO LTD., 1325109 ONTARIO LIMITED, 2660556 ONTARIO LIMITED, AND 2665448 ONTARIO LTD., 1882190 ONTARIO INC., 2616768 ONTARIO LIMITED, 2616766 ONTARIO LIMITED, 2652876 ONTARIO LTD, 2598753 ONTARIO LIMITED, HIRA DHILLON, MAHAN DHILLON, VIPEN CHAUSER, RUPINDER KAUR, 2309136 ONTARIO INC. (OPERATING AS INDO CANADIAN CARRIERS), TIGER EXPRESS INC., DOE 1 INC., DOE 2 INC., JANE DOE 1, JANE DOE 2, JOHN DOE 1 and JOHN DOE 2

Defendants

SETTLEMENT APPROVAL ORDER

THIS MOTION, made by BDO Canada Limited (“**BDO**”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”), of the assets, undertakings and properties of 908593 Ontario Limited, operating as Eagle Travel Plaza (“**908**”), 1393382 Ontario Limited, 2145744 Ontario Limited, 2145754 Ontario Limited, 2123618 Ontario Limited, 1849722 Ontario

Limited, 2469244 Ontario Limited, 2364507 Ontario Limited, and 2612550 Ontario Limited (collectively, the “**Debtors**”) for an order (the “**Settlement Approval Order**”) approving and giving effect to the Pilot Settlement Agreement dated April 29, 2022 (the “**Pilot Settlement Agreement**”), attached as Appendix E to the Twelfth Report of the Receiver dated May 4, 2022 (the “**Twelfth Report**”) was heard this day by judicial teleconference via Zoom at Toronto, Ontario.

ON READING the Twelfth Report and on hearing the submissions of counsel for the Receiver, Canadian Imperial Bank of Commerce, SFJ Inc., Pilot Travel Centers LLC and Flying J Canada Inc. (collectively “**Pilot**”), and such other counsel as were present:

- 1. THIS COURT ORDERS** that the settlement, releases and other matters contemplated by the Pilot Settlement Agreement are hereby approved in their entirety.
- 2. THIS COURT ORDERS** that the payment to Pilot contemplated by the Pilot Settlement Agreement shall be binding on any trustee in bankruptcy that is now or that may be appointed and shall not be void or voidable by creditors of 908, nor shall it constitute nor be deemed to be a fraudulent preference, assignment, fraudulent conveyance, transfer at undervalue or other reviewable transaction under the *Bankruptcy and Insolvency Act*, the *Companies’ Creditors Arrangement Act*, or any other applicable federal or provincial legislation, nor shall it constitute oppressive or unfairly prejudicial conduct pursuant to any applicable federal or provincial laws.
- 3. THIS COURT ORDERS** that this Order and all of its provisions are effective from the date it is made without any need for entry and filing.



Justice Conway

Plaintiff

and

SIMRANJIT DILLON ET AL.

Defendants

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Proceedings commenced at Toronto**

SETTLEMENT APPROVAL ORDER

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*Lawyers for BDO Canada Limited in its capacity
as the court-appointed Receiver of 908593 Ontario
Limited, operating as Eagle Travel Plaza, et al.*