



SUPERIOR COURT OF JUSTICE

COUNSEL/ENDORSEMENT SLIP

COURT FILE NO.: CV-23-00700033-00CL

DATE: January 22, 2024

NO. ON LIST: 2

TITLE OF PROCEEDING: BANK OF MONTREAL v. 7132221 CANADA INC.

BEFORE: JUSTICE PENNY

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
STAPLES, CHRISTOPHER JAM	BANK OF MONTREAL	chris@chaitons.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
FELL, CAITLIN	7132221 CANADA INC.	cfell@reconllp.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
JONES, NEIL	BDO CANADA LIMITED	nejones@bdo.ca
VAN KLINK, TONY	(Receiver)	tvanklink@millerthomson.com
CULLWICK, G.	BDC CAPITAL INC. (Creditor)	gcullwick@brazeauseller.com

ENDORSEMENT OF JUSTICE PENNY:

- [1] The Receiver moves for a discharge order and related orders concerning activities and fees to date.
- [2] The principal asset has been sold. The Receiver's investigation of remaining choses in action has revealed, in most cases, an unlikely prospect of recovery.

- [3] I am satisfied with the Receiver's activities. The Receiver's Second Report has detailed all aspects of the receivership and provided a detailed accounting of the receipts and costs.
- [4] The Report sets out reasonable grounds for all of the relief sought. The proposal to assign the WPT litigation to BMO makes sense and is justified in the circumstances. I am satisfied with the account of the Receiver's fees and those of its counsel. There is no opposition, in particular from BMO which holds the largest economic interest.
- [5] Order to issue in the form signed by me this day.



Penny J.