

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
JUSTICE *Ramsay*)

THURSDAY, THE 2nd
DAY OF NOVEMBER, 2017

BETWEEN:

ROYAL BANK OF CANADA

Applicant

and

**MARA TECH AVIATION FUELS LTD.,
MARA-TECH AVIATION SERVICES LTD.,
MARA TECH AVIATION FUELS (THOMPSON) LTD., and
MARA TECH AVIATION FUELS (SUDBURY) LTD.**

Respondents

DISTRIBUTION ORDER

THIS MOTION, made by BDO Canada Limited in its capacity as the Court-appointed receiver (the "Receiver"), without security, of all the assets, undertakings and properties (the "Property") of Mara Tech Aviation Fuels Ltd., Mara-Tech Aviation Services Ltd., Mara Tech Aviation Fuels (Thompson) Ltd., and Mara Tech Aviation Fuels (Sudbury) Ltd. (the "Debtors" or "Mara Tech"), was heard this day at 59 Church Street, St. Catharines, Ontario.

ON READING the Fourth Report of the Receiver dated October 25, 2017 (the "Fourth Report") and the Notice of Motion herein and on hearing the submissions of counsel for the Receiver and counsel for the Respondents, *and Royal Bank of Canada* no one appearing for any



other person on the service list, although properly served as appears from the affidavit of Sherine Burke, filed,

1. THIS COURT ORDERS that any requirement for service of the Fourth Report, Notice of Motion and the Motion Record be and is hereby abridged, that the Motion is properly returnable today and that all parties requiring notice of this Motion have been duly served and that service on all parties is hereby validated and any further service is hereby dispensed with.
2. THIS COURT ORDERS that the Fourth Report of the Receiver and the activities and conduct of the Receiver as detailed in the Fourth Report are hereby approved.
3. THIS COURT ORDERS that the Receiver's Statement of Receipts and Disbursements as detailed in the Fourth Report are hereby approved, save and except with respect to the Receiver's fees and disbursements.
4. THIS COURT ORDERS that the Receiver is authorized to make a distribution from the proceeds available to:
 - a. Canada Revenue Agency on account of employee source deductions in the amount of \$132,246.56;
 - b. Canada Revenue Agency on account of GST/HST in the amount of \$98,348.58;
 - c. the Applicant, Royal Bank of Canada in the amount of \$578,212.27;
 - d. L.A.K.E.S. Leasing Corporation in the amount of \$79,356.16;
 - e. Kubota Canada Ltd. in the amount of \$64,124.89,plus interest that may accrue on the aforesaid amounts to the date of payment.

5. THIS COURT ORDERS that the surplus funds from the proceeds of realization from the property and assets of Mara Tech Aviation Fuels Ltd., Mara-Tech Aviation Services Ltd. and Mara Tech Aviation Fuels (Sudbury) Ltd. (a "Mara Tech Company") be consolidated and be distributed to the unsecured creditors of Mara Tech Aviation Fuels Ltd., Mara-Tech Aviation Services Ltd. and Mara Tech Aviation Fuels (Sudbury) Ltd., on a prorated basis, based upon the amount of the creditor's unsecured claim owing to it by a Mara Tech Company and regardless from which Mara Tech Company the claim is owing.

6. THIS COURT ORDERS that the Receiver is authorized to conduct a claims bar process with respect to the unsecured creditors of Mara Tech Aviation Fuels Ltd., Mara-Tech Aviation Services Ltd. and Mara Tech Aviation Fuels (Sudbury) Ltd.

7. THIS COURT ORDERS that a motion with respect to the approval of the fees and disbursements of the Receiver and its independent legal counsel is scheduled to be heard on the long motions' list commencing the week of

from a date to be set by the Trial Coordinator ✓

Justice Ponsog
Justice Ponsog

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ROYAL BANK OF CANADA
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-AND-

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ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDINGS COMMENCED AT
ST. CATHARINES

DISTRIBUTION ORDER

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