



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: CV-20-00650557-00CL DATE: MARCH 30 2023

NO. ON LIST: 2

TITLE OF PROCEEDING: **CENTURION MORTGAGE CAPITAL CORPORATION v.
BRIGHTSTAR NEWCASTLE CORPORATION et al**

BEFORE JUSTICE: **MCEWEN**

PARTICIPANT INFORMATION

For Plaintiff:

Name of Person Appearing	Name of Party	Contact Info

For Defendant:

Name of Person Appearing	Name of Party	Contact Info

For Other, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
GEORGE BENCHETRIT	Counsel for Court-Appointed Receiver, BDO Canada Limited	george@chaitons.com

ENDORSEMENT OF JUSTICE EWEN:

Order to go as per the draft filed and signed. The relief sought is unopposed. I have reviewed the order with Receiver's counsel.

The activities are approved. The fees sought are fair and reasonable. The proposed Distribution ought to be made and the subsequent discharge should follow all as set out in the order.

MEW

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE MR.

)

THURSDAY, THE 30TH DAY

JUSTICE MCEWEN

)

OF MARCH, 2023

)

BETWEEN:

CENTURION MORTGAGE CAPITAL CORPORATION

Plaintiff

- and -

**BRIGHTSTAR NEWCASTLE CORPORATION, BRIGHTSTAR SENIORS
LIVING CORPORATION, THE ESTATE OF ALAN CHAPPLE, JOHN BLACKBURN,
JAMES BUCKLER and LAWSON GAY**

Defendants

ORDER

THIS MOTION, made by BDO Canada Limited, in its capacity as court-appointed receiver and manager (the “**Receiver**”) over the lands and premises owned by Brightstar Newcastle Corporation (“**Debtor**”) that are municipally known as Units 101 and 417 at 21 Brookhouse Drive, Newcastle, Ontario, for an order discharging the Receiver and certain relief ancillary thereto as described in the Notice of Motion, was heard this day at Toronto via Zoom videoconference.

ON READING the Third Report of the Receiver dated March 17, 2023 (the “**Third Report**”) and on hearing the submissions of counsel for the Receiver and such other counsel as were present at the hearing of this motion:

1. **THIS COURT ORDERS** that the activities of the Receiver as described in the Second Report of the Receiver dated August 16, 2021 (the “**Second Report**”) and the Third Report of the Receiver are hereby approved, provided that only the Receiver, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.
2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel as described in the Third Report are hereby approved.
3. **THIS COURT ORDERS** that the Receiver is hereby authorized to make the Final Distribution (as defined in the Third Report) to Guarantee Company of North America.
4. **THIS COURT ORDERS** that upon payment of the Final Distribution and fees as described in the Third Report, and upon the Receiver filing a certificate certifying that it has completed the other activities described in the Third Report, the Receiver shall be discharged, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver.



A handwritten signature in black ink, appearing to read 'M. J. T.', is written above a solid horizontal line.

CENTURION MORTGAGE CAPITAL CORPORATION - AND - BRIGHTSTAR NEWCASTLE CORPORATION ET AL.

Applicant

Respondents

Court File No. CV-20-00650557-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings Commenced at TORONTO

ORDER

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**Lawyers for BDO Canada Limited,
Court-appointed Receiver**