



Court File No. CV-08-7722-00CL

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

THE HONOURABLE *MR*) TUESDAY, THE 28TH DAY
JUSTICE *T. McQueen*) OF NOVEMBER, 2017

**IN THE MATTER OF AN APPLICATION UNDER
SUBSECTION 47(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*
R.S.C. 1985, C.B-3**

**AND IN THE MATTER OF SECTION 101 OF
THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, C.C-43**

BETWEEN:

THE BANK OF NOVA SCOTIA

Applicant

- and -

HURONIA PRECISION PLASTICS INC.

Respondent

**ORDER
(Discharge of Receiver and Distribution)**

THIS MOTION, made by Zeifman Partners Inc. ("**Zeifman**"), in its capacity as a court-appointed receiver of Huronia Precision Plastics Inc. (the "**Receiver**"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion of the Receiver, the Fifth Report of the Receiver dated October 26, 2017 (the "**Fifth Report**"); the Affidavit Allan A. Rutman, sworn October 26, 2017 (the "**Rutman Affidavit**"); the affidavit of Eric Feige, sworn November 6, 2017 (the "**Feige Affidavit**"); and the Affidavit of Roger Jaipargas, sworn October 30, 2017 (the "**Jaipargas Affidavit**"); and on hearing the submissions of counsel for the Receiver and such other counsel as

may be present, and upon reading the affidavit of service of Nikki Kheiritash, sworn November 15, 2017, filed;

SERVICE

1. **THIS COURT ORDERS** that the time for service and filing of the Notice of Motion and the Motion Record be and is hereby abridged so that the motion is properly returnable today, and that any further service thereof be and is hereby dispensed with.

CAPITALIZED TERMS

2. **THIS COURT ORDERS** that the capitalized terms not defined herein shall have the meaning ascribed thereto in the Fifth Report.

APPROVAL OF ACTIVITIES

3. **THIS COURT ORDERS** that the Fifth Report and the activities of the Receiver set out in the Fifth Report, be and are hereby approved.

APPROVAL OF STATEMENT OF RECEIPTS AND DISBURSEMENTS

4. **THIS COURT ORDERS** that the Receiver's Statement of Cash Receipts and Disbursements to August 31, 2017, be and is hereby approved.

APPROVAL OF FEES

5. **THIS COURT ORDERS** that the fees and disbursements of the Receiver, as described in the Fifth Report and as set out in the Rutman Affidavit, including the estimated fees, inclusive of disbursements and applicable taxes of the Receiver up to its date of discharge, be and are hereby approved.

6. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's legal counsel, Feige Nawrocki, as described in the Fifth Report and as set out in the Feige Affidavit be and are hereby approved.

7. **THIS COURT ORDERS** that the estimated fees and disbursements of the Receiver's legal counsel, Borden Ladner Gervais LLP ("**BLG**"), as described in the Fifth Report and as set out in the Jaipargas Affidavit, be and are hereby approved.

DISTRIBUTION

8. **THIS COURT ORDERS** that the Receiver is authorized and directed to distribute the amount of \$22,360, in respect of the cash proceeds held by the Receiver to Maxium Financial Services Inc., or as they may direct.

9. **THIS COURT ORDERS** that the Receiver is authorized and directed to distribute the amount of \$2,210, in respect of the cash proceeds held by the Receiver to Gould Leasing Ltd., or as they may direct.

10. **THIS COURT ORDERS** that the Receiver is authorized and directed to distribute the amount of \$93,120, in respect of the cash proceeds held by the Receiver to The Bank of Nova Scotia.

DISCHARGE OF THE RECEIVER

11. **THIS COURT ORDERS** that subject to the Receiver completing the distributions set out in paragraphs 8, 9 and 10 of this Order, and subject to the payment of the Receiver's fees, and the Receiver's counsel's fees, the Receiver shall be discharged as Receiver of the undertakings, property and assets of Huronia Precision Plastics Inc., 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 Richter in its capacity as Receiver.

12. **THIS COURT ORDERS AND DECLARES** that the Receiver is hereby released and discharged from any and all liability that the Receiver has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of the Receiver while acting in its capacity as Receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's

part. Without limiting the generality of the foregoing, the Receiver is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.

AID AND RECOGNITION

13. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this Order and assist the Receiver, and its respective agents, in carrying out the terms of the Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver, and its respective agents, in carrying out the terms of the Order.

14. **THIS COURT ORDERS** that the Receiver be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order.



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PER / PAR:



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PROCEEDINGS COMMENCED AT TORONTO

ORDER
(Discharge of Receiver and Distribution)

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Lawyers for Zeifman Partners Inc., in its capacity as
Court-appointed Receiver for Huronia Precision Plastic Inc.