

Court File No. CV-22-00674717-00CL & CV-21-00668821-00CL

Court File No. CV-21-00668821-00CL

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

**BETWEEN:**

**BERKID INVESTMENTS LIMITED, ROBERT BARRON, THORNBRIDGE CAPITAL  
INC., LUCY BER, SUSAN LATREMOILLE, JAMES MACDONALD, SCOTT  
TUPLING, NADA TUPLING, TMP INVESTMENTS INC., MARK PIEROG, TARA  
PIEROG, RON LAPSKER, 1392530 ONTARIO INC., LANGFORD GRAIN INC., FORE  
BEARS FORENSIC SCIENCE INC., FESTIVUS HOLDINGS INC., STEVEN FREIMAN  
AND GREGORY IP**

Plaintiffs

- and -

**HUNTER MILBORNE, GREGORY MARCHANT, MM REALTY PARTNERS  
INTERNATIONAL, MM REALTY PARTNERS INTERNATIONAL INC., LEGACY  
LIFESTYLE DESTIN LIMITED PARTNERSHIP, LEGACY LIFESTYLE DESTIN GP  
INC., LEGACY LIFESTYLE SUMMERLIN LIMITED PARTNERSHIP, LEGACY  
LIFESTYLE SUMMERLIN GP INC. LEGACY LIFESTYLE TRAILWINDS LIMITED  
PARTNERSHIP, LEGACY LIFESTYLE TRAILWINDS GP INC., WAVERLEY  
CORPORATE FINANCE SERVICES LTD. and MORGAN MARCHANT**

Defendants

Court File No. CV-22-00674717-00CL

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

**LEGACY LIFESTYLES DESTIN LP, LEGACY LIFESTYLES TRAILWINDS LP,  
LEGACY LIFESTYLES SUMMERLIN LP, LEGACY LIFESTYLES OCOEE LP,  
LEGACY LIFESTYLES LONGLEAF LP**

**Applicants**

- and -

**LEGACY LIFESTYLES DESTIN PROPERTY LLC, LEGACY LIFESTYLES  
TRAILWINDS PROPERTY LLC, LEGACY LIFESTYLES FORT MYERS PROPERTY  
LLC, LEGACY LIFESTYLES OCOEE PROPERTY LLC, , LEGACY LIFESTYLES  
LONGLEAF PROPERTY LLC**

**Respondents**

**APPLICATION UNDER** section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C., C. B-3, as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. C-43, as amended

**SUPPLEMENTARY MOTION RECORD**  
**(returnable September 25, 2024)**

September 24, 2024

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# Tab 1

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**Plaintiffs**

**- and -**

**HUNTER MILBORNE, GREGORY MARCHANT, MM REALTY PARTNERS  
INTERNATIONAL, MM REALTY PARTNERS INTERNATIONAL INC., LEGACY  
LIFESTYLE DESTIN LIMITED PARTNERSHIP, LEGACY LIFESTYLE DESTIN GP  
INC., LEGACY LIFESTYLE SUMMERLIN LIMITED PARTNERSHIP, LEGACY  
LIFESTYLE SUMMERLIN GP INC. LEGACY LIFESTYLE TRAILWINDS LIMITED  
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**Defendants**

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LEGACY LIFESTYLES LONGLEAF LP**

**Applicants**

- and -

**LEGACY LIFESTYLES DESTIN PROPERTY LLC, LEGACY LIFESTYLES  
TRAILWINDS PROPERTY LLC, LEGACY LIFESTYLES FORT MYERS PROPERTY  
LLC, LEGACY LIFESTYLES OCOEE PROPERTY LLC, LEGACY LIFESTYLES  
LONGLEAF PROPERTY LLC**

**Respondents**

**APPLICATION UNDER** section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C., C. B-3,  
as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. C-43, as amended

**SUPPLEMENTAL REPORT TO THE SIXTH REPORT OF THE RECEIVER**  
**September 24, 2024**

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**APPENDICES**

- A Trailwinds Distribution Calculation (Updated)
- B Affidavit of Timothy Dunn, sworn September 20, 2024

## **PURPOSE OF THE REPORT**

1. This Supplemental Report to the Sixth Report of the Receiver (the “**Supplemental Sixth Report**”) is filed in respect of the Receiver’s motion returnable September 25, 2024.
2. All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Receiver’s Sixth Report to the Court, dated September 16, 2024.

## **DESTIN AND TRAILWINDS DISTRIBUTIONS**

1. As set out in the Sixth Report, the Receiver’s Distribution Calculations contemplate two scenarios: (a) the allowance of Mr. Marchant’s claims in full; and (b) the partial disallowance of Mr. Marchant’s claims as set out in the Notices of Revision and Disallowance.
2. As detailed in the Sixth Report, the Receiver issued Notices of Revision and Disallowance to Mr. Marchant disallowing, in part, his claims filed in the Destin and Trailwinds claims procedures. The deadline for Mr. Marchant to deliver a written objection to the Receiver, as extended, was September 23, 2024. In the event Mr. Marchant delivered a written objection, the Receiver intended to holdback a reserve on the amounts to be distributed to the creditors for the amount of Mr. Marchant’s claims pending the final resolution of same. No written objection was received by the deadline.
3. Accordingly, the Receiver intends to proceed with a distribution that has no reserve related to Mr. Marchant’s original claims. The creditors will receive the larger distribution amounts highlighted in green on the Distribution Calculations. Mr. Marchant will similarly receive the amounts set out in green on each Distribution Calculation.
4. Attached hereto as **Appendix “A”** is the updated Trailwinds Distribution Calculation reflecting an increase in the amount of funds available for distribution. The original Trailwinds Distribution Calculation attached to the Sixth Report included a smaller amount for the Destin unsecured claim which was calculated based on a reserve for the entire amount of Mr. Marchant’s claims. This amount has now be increased to \$122,007 on the basis that there will not be any reserve in respect of Mr. Marchant’s claim.

**FEES**

5. The Receiver seeks approval of the fees of the Receiver and its counsel. Blaney McMurtry LLP (“**Blaney McMurtry**”) acted as independent counsel to the Receiver in respect of the review of the proofs of claim filed by Greg Marchant in the Destin and Trailwinds claims procedures. For the period from August 1, 2024, to September 16, 2024, the fees and disbursements of Blaney McMurtry total \$18,324.13, inclusive of HST and disbursements. The fees and disbursements of Blaney McMurtry are more particularly described in the Affidavit of Timothy Dunn, sworn September 20, 2024, attached hereto as **Appendix “B”**.

**RECOMMENDATIONS OF THE RECEIVER**

6. Based on the foregoing and as set out in the Sixth Report, the Receiver respectfully recommends that the Court make an order granting the relief as set out in its Notice of Motion, dated September 16, 2024.

All of the foregoing is respectfully submitted this 24th day of September, 2024.

**ZEIFMAN PARTNERS INC.**, in its capacity as Receiver of Legacy Lifestyles Destin LP, Legacy Lifestyles Destin GP Inc., Legacy Lifestyles Summerlin LP, Legacy Lifestyles Summerlin GP Inc., Legacy Lifestyles Trailwinds LP, Legacy Lifestyles Trailwinds GP Inc., Legacy Lifestyles Ocoee LP, Legacy Lifestyles Ocoee GP Inc., Legacy Lifestyles Longleaf LP, Legacy Lifestyles Longleaf GP Inc., Legacy Lifestyles Destin Property LLC, Legacy Lifestyles Trailwinds Property LLC, Legacy Lifestyles Ft. Myers Property LLC, Legacy Lifestyles Ocoee Property LLC and Legacy Lifestyles Longleaf Property LLC, and not in its personal or corporate capacity

Per: 

Name: Allan Rutman

Title: President

Appendix “A”  
to the Supplemental Report to the Sixth  
Report of the Receiver



**TRAILWINDS DISTRIBUTION**

	<b>US FUNDS</b>	
Estimated Cash Balance as at September 5, 2024	\$ 3,447,000	
Less: Provision for remaining fees	\$ (91,241)	\$125,000.00 CDN conversion rate @ 1.37
Farley Cohen Proportionate Fees 1/5	\$ (15,691)	\$21,496.58 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (23,536)	\$32,244.88 CDN conversion rate @ 1.37
Cost Awards - Roberts - 1/3	\$ (24,331)	\$33,333.33 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (12,165)	\$16,666.67 CDN conversion rate @ 1.37
Cost Awards - Katzman - 1/5	\$ (7,299)	\$10,000 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (10,949)	\$15,000 CDN conversion rate @ 1.37
Destin unsecured claim	\$ 122,007	

**Funds remaining for distribution****\$ 3,383,794**

<b>Lender</b>	<b>Claim</b>	<b>Percentage of Claim</b>	<b>Distribution</b>	<b>Allowed Claim</b>	<b>Percentage of Claim</b>	<b>Distribution</b>
001 1387615 Ontario Limited (Scott Barrett)	72,648.02	0.6416%	\$ 21,708.79	72,648.02	0.7051%	\$ 23,860.55
002 2143700 Ontario Inc. (Larry/David Jackson)	200,000.00	1.7662%	\$ 59,764.30	200,000.00	1.9413%	\$ 65,688.09
003 2244512 Ontario Inc. (Ashis Chawla)	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
004 2464649 Ontario Inc. (Rick Woodgate)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
005 Neale Brown	370,000.00	3.2675%	\$ 110,563.95	370,000.00	3.5913%	\$ 121,522.97
006 4422279 Canada Inc. (Ron Shlien)	400,010.00	3.5325%	\$ 119,531.59	400,010.00	3.8826%	\$ 131,379.46
007 9677658 Canada Inc. (Ken Wootton)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
008 Alcran Holdings Ltd. (Ian Johnson)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
009 Angellotti Holdings Inc.	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
010 Avni Suchak (Mitesh)	200,000.00	1.7662%	\$ 59,764.30	200,000.00	1.9413%	\$ 65,688.09
011 Basi Law Professional Corporation (Katy Basi)	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
012 Christiansen Investments Inc. (Arlene Christiansen)	1,500,000.00	13.2464%	\$ 448,232.24	1,500,000.00	14.5594%	\$ 492,660.67
013 Claremont Holdings Corporation (Ian Collins)	72,471.65	0.6400%	\$ 21,656.09	72,471.65	0.7034%	\$ 23,802.62
014 Donald C. Baker	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
015 Edward M. Hunter	200,000.00	1.7662%	\$ 59,764.30	200,000.00	1.9413%	\$ 65,688.09
016 Festivus Holdings Inc. (Steve & Mark Freiman)	550,000.00	4.8570%	\$ 164,351.82	550,000.00	5.3385%	\$ 180,642.25
017 Halco Holdings Inc. (Mike Hall)	300,000.00	2.6493%	\$ 89,646.45	300,000.00	2.9119%	\$ 98,532.13
018 Ian and Moira Bell	150,000.00	1.3246%	\$ 44,823.22	150,000.00	1.4559%	\$ 49,266.07
019 Izabella Dykstra	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
020 James MacDonald	349,286.56	3.0845%	\$ 104,374.33	349,286.56	3.3903%	\$ 114,719.83
021 Katayoun Sarafian	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
022 Langford Grain Inc. (Dave & Michelle Langford)	1,064,783.68	9.4031%	\$ 318,180.25	1,064,783.68	10.3351%	\$ 349,718.03
023 Mad Apples Marketing Communications Inc. (David Power)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
024 Michael Kessel	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
025 1000583755 Ontario Inc. (Olga de Wit)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
026 MLC Financial Ltd.	200,000.00	1.7662%	\$ 59,764.30	200,000.00	1.9413%	\$ 65,688.09
027 NMP Investment Holdings Inc. (Nick Perpick)	250,000.00	2.2077%	\$ 74,705.37	250,000.00	2.4266%	\$ 82,110.11
028 Paul Collins Professional Corporation	225,000.00	1.9870%	\$ 67,234.84	225,000.00	2.1839%	\$ 73,899.10
029 Paura Professional Corporation (Mario Paura)	225,000.00	1.9870%	\$ 67,234.84	225,000.00	2.1839%	\$ 73,899.10
030 Peter G. Volpe	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
031 Reinrichmar Holdings Limited (Rick Reininger)	300,000.00	2.6493%	\$ 89,646.45	300,000.00	2.9119%	\$ 98,532.13
032 Richard W. Woodruff	200,000.00	1.7662%	\$ 59,764.30	200,000.00	1.9413%	\$ 65,688.09
033 Robert Barron	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
034 Robert White	50,000.00	0.4415%	\$ 14,941.07	50,000.00	0.4853%	\$ 16,422.02
035 Scott & Nada Tupling	300,000.00	2.6493%	\$ 89,646.45	300,000.00	2.9119%	\$ 98,532.13
036 Spectrum Jewellery Mfg. Inc.	720,800.00	6.3654%	\$ 215,390.53	720,800.00	6.9963%	\$ 236,739.87
037 Taler Investments Inc. (Mark Harrington)	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
038 The Asylum Inc.	450,000.00	3.9739%	\$ 134,469.67	450,000.00	4.3678%	\$ 147,798.20
039 Thornbridge Capital Inc.	100,000.00	0.8831%	\$ 29,882.15	100,000.00	0.9706%	\$ 32,844.04
040 TMP Investments Inc. (Mark Pierog)	400,000.00	3.5324%	\$ 119,528.60	400,000.00	3.8825%	\$ 131,376.18
041 Greg Marchant	1,223,798.12	10.8073%	\$ 365,697.19	202,611.39	1.9666%	\$ 66,545.78
<b>Total</b>	<b>\$ 11,323,798.03</b>	<b>100.0000%</b>	<b>\$ 3,383,794.27</b>	<b>\$ 10,302,611.30</b>	<b>100.0000%</b>	<b>\$ 3,383,794.27</b>

Appendix “B”  
to the Supplemental Report to the Sixth  
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**AFFIDAVIT OF TIMOTHY R. DUNN  
(sworn September 20, 2024)**

**I, TIMOTHY R. DUNN**, of the Town of Erin, **MAKE OATH AND SAY AS  
FOLLOWS:**

1. I am a lawyer with the law firm Blaney McMurtry LLP (“**Blaney McMurtry**”), independent counsel for Zeifman Partners Inc., in its capacity as receiver (in such capacities, the “**Receiver**”), of certain assets, undertakings and properties of Legacy Lifestyle Group of Companies. As such, I have knowledge of the matters to which I hereinafter depose, except

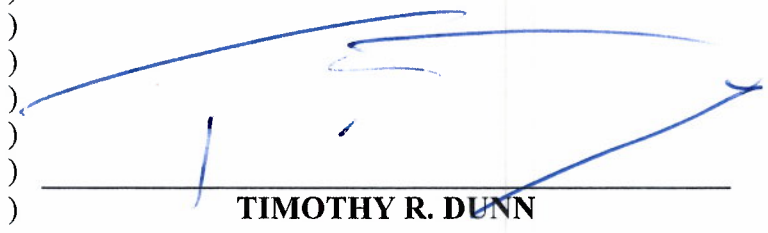
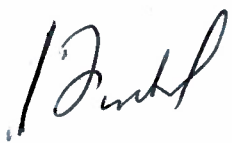
where otherwise stated. Where my evidence is based upon information and belief, I have stated the source of that information and believe it be true.

2. Attached hereto as **Exhibit "A"** is a true copy of each account issued by Blaney McMurtry for the period commencing August 1, 2024 through to September 16, 2024, with respect to the fees and disbursements incurred by Blaney McMurtry.

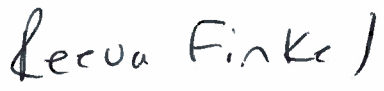
3. Each account includes a chart which sets out the hourly billing rates of Blaney McMurtry.

4. I make this Affidavit in support of a motion for, *inter alia*, approval of the fees and disbursements of Blaney McMurtry.

SWORN before me at the City )  
 )  
of Toronto, in the Province of )  
 )  
Ontario, this 20th day of )  
 )  
September, 2024. )

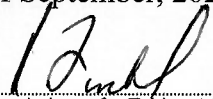
  
\_\_\_\_\_  
TIMOTHY R. DUNN

Commissioner For Taking Affidavits



---

This is Exhibit "A" referred to  
in the Affidavit of Timothy R. Dunn  
Sworn this 20th  
day of September, 2024.

  
.....  
A Commissioner for Taking Affidavits

---

HST REGISTRATION # R119444149

PRIVATE AND CONFIDENTIAL  
Zeifman Partners Inc.  
201 Bridgeland Avenue  
Toronto Ontario M6A 1Y7

Date  
August 31, 2024

Invoice No.  
803364

File No.  
206349-0001

Attention: Mr. Allan Rutman

**RE: Receivership of Legacy Lifestyle Group of Companies**

TO ALL PROFESSIONAL SERVICES RENDERED on your behalf in connection with the above noted matter for the period ended August 31, 2024 as more particularly described below.

<u>Date</u>	<u>Lawyer</u>	<u>Time</u>	<u>Description</u>
August 1, 2024	TDunn	0.60	Correspondence with A. Rutman and discussion with A. Rutman re background to receivership and scope of mandate re proof of claims review;
August 1, 2024	TDunn	1.40	Various correspondence with receiver; review Inspectors Report, Appointment Order and Proof of Claim of G. Marchant re Legacy (Destin);
August 7, 2024	TDunn	0.10	Correspondence re Proof of Claim for Legacy (Destin);
August 7, 2024	TDunn	2.40	Review Proof of Claim re Legacy (Destin); Ancillary documents provided by G. Marchant and consider issues raised in Inspectors Report and correspondence with A. Rutman re same;
August 7, 2024	TDunn	0.50	Meet with A. Rutman re issues arising from review of Proof of Claim re Legacy (Destin);
August 8, 2024	TDunn	0.10	Correspondence with A. Rutman re Proof of Claim re Legacy (Trailwinds);
August 12, 2024	TDunn	0.10	Correspondence with receiver;

**Terms:** Payment upon receipt. Interest as allowed in the Solicitors Act at a rate of 12.0% per annum, calculated monthly, will be added to all amounts overdue 30 days or more.

Date  
August 31, 2024

Invoice No.  
803364

File No.  
206349-0001

-2-

<u>Date</u>	<u>Lawyer</u>	<u>Time</u>	<u>Description</u>
August 15, 2024	TDunn	0.20	Correspondence with A. Rutman re response of counsel for Marchant re support for 2% debt/equity raise fee;
August 15, 2024	TDunn	0.30	Correspondence with K. Kraft an consider documents provided by counsel for Marchant to support 2% fee;
August 15, 2024	TDunn	0.10	Correspondence re Trailwinds claim process date;
August 15, 2024	TDunn	0.20	Various correspondence with K. Kraft and A. Rutman re claims process and correspondence with counsel for G. Marchant;
August 19, 2024	TDunn	0.50	Correspondence with A. Wygodny re transcript of G. Marchant and review transcript;
August 20, 2024	TDunn	0.90	Consider correspondence with counsel for G. Marchand re 2% fee claimed and questions respecting the quantum meruit claim and review Proof of Claim and supporting documents;
August 22, 2024	TDunn	0.20	Correspondence with A. Rutman re status of information requests of counsel for G. Marchant and timing for draft opinion on disallowance;
August 23, 2024	TDunn	1.80	Prepare draft Partial Disallowance re Marchant claim re Destin Debtors; review supporting documentation etc;
August 27, 2024	TDunn	0.50	Revise Notice of Revision and Partial Disallowance and correspondence re same;
August 27, 2024	TDunn	0.10	Correspondence with A. Rutman re next steps;
August 28, 2024	TDunn	0.50	Prepare for and meet with A. Rutman re Partial Disallowance of Claim submitted by G. Marchant;
August 28, 2024	TDunn	0.70	Consider Inspectors Report; prepare recommendation letter to receiver re summary of issues on Proof of Claim submitted by Mr. Marchant; Discussion with A. Rutman re scope of review and identified issues etc;
August 29, 2024	TDunn	0.30	Correspondence with K. Kraft ad revision to Notice of revision and Partial disallowance and



Date  
August 31, 2024

Invoice No.  
803364

File No.  
206349-0001

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<u>Date</u>	<u>Lawyer</u>	<u>Time</u>	<u>Description</u>
August 29, 2024	TDunn	0.40	letter to receiver; Consider Trailwinds Proof of Claim; discussion with A. Rutman re same and correspondence with K. Kraft;
August 29, 2024	TDunn	0.30	Discussion with A. Rutman and correspondence with counsel for G. Marchant re provision of more time to deliver supporting documentation;
August 29, 2024	TDunn	0.20	Correspondence with counsel for G. Marchant re additional documentary support needed for both Destin and Trailwinds claims;

OUR FEE HEREIN:	\$10,540.00
FEE HST:	\$1,370.20

<u>Lawyer</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Timothy R. Dunn	Partner	12.40	\$850.00	\$10,540.00

<u>Disbursements</u>	<u>Amount</u>
Photocopying	\$210.35
Binding and Tab Charges	\$25.69

TOTAL DISBURSEMENTS:	\$236.04
*HST is not charged	
DISBURSEMENT HST:	<u>\$30.69</u>

TOTAL FEES AND DISBURSEMENTS:	\$10,776.04
TOTAL HST:	<u>\$1,400.89</u>

TOTAL AMOUNT DUE:	<u>\$12,176.93</u>
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**BLANEY McMURTRY LLP**



Timothy R. Dunn  
E. & O.E

Date  
August 31, 2024

Invoice No.  
803364

File No.  
206349-0001

-4-

Fees may include charges for services provided by Lawco Limited.  
Details are available upon request.

We accept payment by cheque, Wire, VISA, Mastercard and AMEX.  
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To pay by Wire: TD Canada Trust, Bank No. 004, Transit No. 10252,  
General Account No. 0680-5215022 Swift Code: TDOMCATTOR  
**Please ensure our invoice number, account number and/or file  
number is quoted on all forms of payment.**  
Contact email [clientservices@blaney.com](mailto:clientservices@blaney.com)

HST REGISTRATION # R119444149

PRIVATE AND CONFIDENTIAL  
Zeifman Partners Inc.  
201 Bridgeland Avenue  
Toronto Ontario M6A 1Y7

Date  
September 17, 2024

Invoice No.  
804390

File No.  
206349-0001

Attention: Mr. Allan Rutman

**RE: Receivership of Legacy Lifestyle Group of Companies**

TO ALL PROFESSIONAL SERVICES RENDERED on your behalf in connection with the above noted matter for the period ended September 16, 2024 as more particularly described below.

<u>Date</u>	<u>Lawyer</u>	<u>Time</u>	<u>Description</u>
September 3, 2024	TDunn	1.20	Various correspondence with A. Rutman and counsel for Marchant re support for "success fee" and prepare Amended and Restated Notice of Revision and Partial Disallowance for Destin and revise Notice of Revision and Partial Disallowance for Trailwinds and correspondence re same;
September 4, 2024	TDunn	0.30	Consider issued partial disallowances; various correspondence with A. Rutman, counsel for G. Marchant and G. Marchant re Trailwinds claim; support for quantum meruit claim for Destin and Trailwinds;
September 9, 2024	TDunn	0.30	Various correspondence with A. Rutman and counsel for Marchant re issues respecting disallowances;
September 10, 2024	TDunn	0.20	Correspondence from K. Kraft and A. Rutman re response to counsel for Marchant;
September 11, 2024	TDunn	0.10	Correspondence from counsel for G. Marchant re request to toll time to file objection;
September 15, 2024	TDunn	2.20	Review documents submitted by Marchant in support of Destin and Trailwinds claims; various correspondence re response to issues

**Terms:** Payment upon receipt. Interest as allowed in the Solicitors Act at a rate of 12.0% per annum, calculated monthly will be added to all amounts overdue 30 days or more.

Date  
September 17, 2024


Invoice No.  
804390

File No.  
206349-0001

-2-

<u>Date</u>	<u>Lawyer</u>	<u>Time</u>	<u>Description</u>	
			of concern expressed by Marchant and prepare fulsome response;	
September 16, 2024	TDunn	0.20	Discussion with A. Rutman re response to Mr. Marchant on partial disallowance;	
September 16, 2024	TDunn	0.20	Correspondence with counsel for Mr. Marchant re tolling agreement until September 23;	
September 16, 2024	TDunn	1.70	Review Proofs of Claim, supporting documentation, various correspondence with counsel for Mr. Marchant and revise response re concerns of receiver that resulted in issuance of notices of partial disallowances;	
OUR FEE HEREIN:				\$5,440.00
FEE HST:				\$707.20
<u>Lawyer</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Timothy R. Dunn	Partner	6.40	\$850.00	\$5,440.00
TOTAL FEES AND DISBURSEMENTS:				\$5,440.00
TOTAL HST:				<u>\$707.20</u>
TOTAL AMOUNT DUE:				<u>\$6,147.20</u>

**BLANEY McMURTRY LLP**



Timothy R. Dunn  
E. & O.E

Date  
September 17, 2024

Invoice No.  
804390

File No.  
206349-0001

-3-

Fees may include charges for services provided by Lawco Limited.  
Details are available upon request.

We accept payment by cheque, Wire, VISA, Mastercard and AMEX.  
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To pay by Wire: TD Canada Trust, Bank No. 004, Transit No. 10252,  
General Account No. 0680-5215022 Swift Code: TDOMCATTOR  
**Please ensure our invoice number, account number and/or file  
number is quoted on all forms of payment.**  
Contact email [clientservices@blaney.com](mailto:clientservices@blaney.com)

<p><b>BERKID INVESTMENTS LIMITED</b></p> <p>and</p> <p><b>LEGACY LIFESTYLES DESTIN LP, et al.</b></p>	<p>Court File No. CV-22-00674717-00CL &amp; CV-21-00668821-00CL</p> <p>Court File No. CV-21-00668821-00CL  <b>HUNTER MILBORNE et al.</b>  Defendants</p> <p>Court File No. CV-22-00674717-00CL  <b>LEGACY LIFESTYLES DESTIN PROPERTY LLC, et al.</b>  Respondents</p>
	<p><b>ONTARIO</b></p> <p><b>SUPERIOR COURT OF JUSTICE</b>  <b>(COMMERCIAL LIST)</b></p> <p>PROCEEDING COMMENCED AT TORONTO</p>
	<p><b>AFFIDAVIT OF TIMOTHY R. DUNN</b></p> <p><b>BLANEY McMURTRY LLP</b>  Barristers and Solicitors  1500 – 2 Queen Street East  Toronto, ON M5C 3G5</p> <p><b>Timothy R. Dunn</b> (LSUC #34249I)  Tel: 416-597-4880  <tdunn@blaney.com< p=""> <p>Lawyers for Zeifman Partners Inc., in its capacity as Court-appointed Receiver</p> </tdunn@blaney.com<></p>

**BERKID INVESTMENTS LIMITED**

Plaintiff

and

Court File No. CV-21-00668821-00CL

**HUNTER MILBORNE et al.**

Defendants

**LEGACY LIFESTYLES DESTIN LP, et al.**

Applicants

and

Court File No. CV-22-00674717-00CL

**LEGACY LIFESTYLES DESTIN PROPERTY LLC, et al.**

Respondents

<p><b>ONTARIO</b></p> <p><b>SUPERIOR COURT OF JUSTICE</b> (COMMERCIAL LIST)</p> <p>PROCEEDING COMMENCED AT TORONTO</p>
<p><b>SUPPLEMENTAL REPORT TO THE SIXTH</b> <b>REPORT OF THE RECEIVER</b></p>
<p><b>DENTONS CANADA LLP</b> 77 King Street West, Suite 400 Toronto-Dominion Centre Toronto, ON M5K 0A1</p> <p><b>Kenneth Kraft (LSO # 31919P)</b> Tel: 416-863-4374 Fax: 416 863-4592 <a href="mailto:kenneth.kraft@dentons.com">kenneth.kraft@dentons.com</a></p> <p><b>Sara-Ann Wilson (LSO # 56016C)</b> Tel: (416) 863-4402 <a href="mailto:sara.wilson@dentons.com">sara.wilson@dentons.com</a></p> <p><i>Lawyers for Zeifman Partners Inc., in its capacity as Court-appointed Receiver</i></p>

# Tab 2



Court File No. CV-22-00674717-00CL & CV-21-00668821-00CL

Court File No. CV-21-00668821-00CL

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

THE HONOURABLE ) WEDNESDAY , THE 25th  
JUSTICE OSBORNE ) DAY OF SEPTEMBER, 2024

**BETWEEN:**

**BERKID INVESTMENTS LIMITED, ROBERT BARRON, THORNBRIDGE CAPITAL INC., LUCY BER, SUSAN LATREMOILLE, JAMES MACDONALD, SCOTT TUPLING, NADA TUPLING, TMP INVESTMENTS INC., MARK PIEROG, TARA PIEROG, RON LAPSKER, 1392530 ONTARIO INC., LANGFORD GRAIN INC., FORE BEARS FORENSIC SCIENCE INC., FESTIVUS HOLDINGS INC., STEVEN FREIMAN AND GREGORY IP**

Plaintiffs

- and -

**HUNTER MILBORNE, GREGORY MARCHANT, MM REALTY PARTNERS INTERNATIONAL, MM REALTY PARTNERS INTERNATIONAL INC., LEGACY LIFESTYLE DESTIN LIMITED PARTNERSHIP, LEGACY LIFESTYLE DESTIN GP INC., LEGACY LIFESTYLE SUMMERLIN LIMITED PARTNERSHIP, LEGACY LIFESTYLE SUMMERLIN GP INC. LEGACY LIFESTYLE TRAILWINDS LIMITED PARTNERSHIP, LEGACY LIFESTYLE TRAILWINDS GP INC., WAVERLEY CORPORATE FINANCE SERVICES LTD. and MORGAN MARCHANT**

Defendants

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

**LEGACY LIFESTYLES DESTIN LP, LEGACY LIFESTYLES TRAILWINDS LP,  
LEGACY LIFESTYLES SUMMERLIN LP, LEGACY LIFESTYLES OCOEE LP,  
LEGACY LIFESTYLES LONGLEAF LP**

**Applicants**

- and -

**LEGACY LIFESTYLES DESTIN PROPERTY LLC, LEGACY LIFESTYLES  
TRAILWINDS PROPERTY LLC, LEGACY LIFESTYLES FORT MYERS PROPERTY  
LLC, LEGACY LIFESTYLES OCOEE PROPERTY LLC, , LEGACY LIFESTYLES  
LONGLEAF PROPERTY LLC**

**Respondents**

**APPLICATION UNDER** section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C., C. B-3, as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, C. C-43, as amended

**ORDER**

**THIS MOTION** made by Zeifman Partners Inc. in its capacity as the Court-appointed receiver (the “**Receiver**”), of the assets, undertakings and properties of Legacy Lifestyles Destin LP, Legacy Lifestyles Destin GP Inc., Legacy Lifestyles Summerlin LP, Legacy Lifestyles Summerlin GP Inc., Legacy Lifestyles Trailwinds LP, Legacy Lifestyles Trailwinds GP Inc., Legacy Lifestyles Ocoee LP, Legacy Lifestyles Ocoee GP Inc., Legacy Lifestyles Longleaf LP, Legacy Lifestyles Longleaf GP Inc., Legacy Lifestyles Destin Property LLC, Legacy Lifestyles Trailwinds Property LLC, Legacy Lifestyles Ft. Myers Property LLC, Legacy Lifestyles Ocoee Property LLC and Legacy Lifestyles Longleaf Property LLC, appointed pursuant to the Amended Order of the Honourable Justice Conway, dated February 11, 2022 (the “**Receivership Order**”) for an order, approving distributions of the net proceeds of sale of the Destin Property and the Trailwinds Property (each defined below), approving the fees and disbursements of the Receiver

and its counsel and granting certain other relief was heard this day at 330 University Avenue, Toronto, Ontario via Zoom.

**ON READING** the Sixth Report of the Receiver, dated September 16, 2024 (the “**Sixth Report**”), the affidavit of Allan Rutman affirmed September 10, 2024 (the “**Rutman Affidavit**”), the affidavit of Kenneth Kraft affirmed September 11, 2024 (the “**Kraft Affidavit**”), the affidavit of James Irving, sworn September 12, 2024 (the “**Irving Affidavit**”), the affidavit of Arnold (Skip) Straus, Jr., sworn September 16, 2024 (the “**Straus Affidavit**”), the affidavit of Douglas Waldorf, affirmed September 11, 2024 (the “**Waldorf Affidavit**”), the affidavit of Timothy R. Dunn, sworn September 20, 2024 (the “**Dunn Affidavit**”), the Supplemental Report to the Sixth Report of the Receiver, dated September 20, 2024 (the “**Supplemental Sixth Report**”), and on hearing the submissions of counsel for the Receiver, and such other counsel and parties as listed on the counsel slip, no one appearing for any other person on the service list, although properly served as appears from the affidavits of Amanda Campbell sworn September 16 & ●, 2024, filed:

## **SERVICE**

1. **THIS COURT ORDERS** that the time for service of the Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

## **DESTIN DISTRIBUTIONS**

2. **THIS COURT ORDERS** that the Receiver be and is hereby authorized and directed to make interim distributions of the net sale proceeds of the property municipally known as 401 Beach Drive, Destin, Florida (the “**Destin Property**”), to the creditors of Legacy Lifestyles Destin LP, Legacy Lifestyles Destin GP Inc. and Legacy Lifestyles Destin Property LLC, as set forth in Schedule “A” hereto.

3. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to make the following payments from the net proceeds of sale of the Destin Property:

- (a) CA\$33,333.33 to Greg Roberts PC, on account of 1/3 of the costs award in favour of the Plaintiffs set out at paragraph 41 of the Receivership Order (the “**Costs Award**”);
- (b) CA\$10,000.00 to Katzman & Associates, on account of 1/5 of the Costs Award in favour of the Intervening Investors;
- (c) US\$12,115.00 to N21 Group LLC; and
- (d) US\$107,604.07 to the Receiver’s trust account in respect of the Trailwinds Debtors, to be included in the funds available for distribution as set out in Schedule “B” hereto.

4. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to distribute any remaining net proceeds of the Destin Property in accordance with the distribution calculation attached as Appendix “L” to the Sixth Report without the need for any further Court approval.

#### **TRAILWINDS DISTRIBUTIONS**

5. **THIS COURT ORDERS** that the Receiver be and is hereby authorized and directed to make interim distributions of the net sale proceeds of the property municipally known as 5578 County Road, 466A, Wildwood, Florida (“**Trailwinds Property**”), to the creditors of Legacy Lifestyles Trailwinds LP, Legacy Lifestyles Trailwinds GP Inc. and Legacy Lifestyles Trailwinds Property LLC, as set forth in Schedule “B” hereto.

6. **THIS COURT ORDERS** that the Receiver is hereby authorized and directed to make the following payments from the net proceeds of sale of the Trailwinds Property:

- (a) CA\$33,333.33 to Greg Roberts PC, on account of 1/3 of the Costs Award in favour of the Plaintiffs; and
- (b) CA\$10,000.00 to Katzman & Associates, on account of 1/5 of the Costs Award in favour of the Intervening Investors.

7. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to distribute any remaining net proceeds of the Trailwinds Property in accordance with the distribution calculation

attached as Appendix “A” to the Supplemental Sixth Report without the need for any further Court approval.

### **LIMITATION OF LIABILITY**

8. **THIS COURT ORDERS** that the Receiver shall not have any liability for carrying out the provisions of this Order and making the distributions in accordance with its terms, save and except for any gross negligence or wilful misconduct on its part.

### **RECEIVER’S ACTIVITIES AND R&D**

9. **THIS COURT ORDERS** that the Sixth Report, the Supplemental Sixth Report, and the activities and conduct of the Receiver as described therein, be and are hereby approved, provided, however, that only Zeifman Partners Inc., in its capacity as Receiver and not 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.

10. **THIS COURT ORDERS** that the Receiver’s interim statement of receipts and disbursements, for period from February 11, 2022 to September 5, 2024, be and is hereby approved.

### **FEES**

11. **THIS COURT ORDERS** that the fees and disbursements of the Receiver, for the period from June 1, 2024 to August 31, 2024, as set out in the Sixth Report and the Rutman Affidavit be and are hereby approved.

12. **THIS COURT ORDERS** that the fees and disbursements of Dentons Canada LLP, for the period from June 1, 2024 to August 31, 2024, as set out in the Sixth Report and the Kraft Affidavit be and are hereby approved.

13. **THIS COURT ORDERS** that the fees and disbursements of Dentons Bingham Greenebaum LLP, for the period from April 1, 2024 to June 30, 2024, as set out in the Sixth Report and the Irving Affidavit be and are hereby approved.

14. **THIS COURT ORDERS** that the fees and disbursements of Dentons Cohen & Grigsby P.C., for the period from April 19, 2024 to June 24, 2024, as set out in the Sixth Report and the Waldorf Affidavit be and are hereby approved.

15. **THIS COURT ORDERS** that the fees and disbursements of Straus & Associates, P.A. relating to the Trailwinds Property for the period from November 15, 2023 to August 1, 2024, as set out in the Sixth Report and the Straus Affidavit be and are hereby approved.

16. **THIS COURT ORDERS** that the fees and disbursements of Blaney McMurtry LLP for the period from August 1, 2024 to September 16, 2024, as set out in the Supplemental Sixth Report and the Dunn Affidavit be and are hereby approved.

---

**Schedule "A"**

**Destin Distributions**

**DESTIN DISTRIBUTION**

	<u>USD</u>	<u>CAD converted @1.37</u>
Estimated Cash Balance as at September 5, 2024	\$ 3,132,000	
Holdback: Estimated Remaining Fees of Receiver and Counsel	\$ (91,241)	\$125,000.00 CDN
Holdback: Inspector Proportionate Fees 1/5	\$ (15,691)	\$21,496.58 CDN
Holdback: Inspector Fees Pending Sale of Remaining Properties	\$ (23,536)	\$32,244.88 CDN
Payment: Plaintiff's Costs Award - 1/3 (Roberts)	\$ (24,331)	\$33,333.33 CDN
Holdback: Plaintiff's Costs Pending Sale of Remaining Properties	\$ (12,165)	\$16,666.67 CDN
Payment: Intervening Investors Costs Award - 1/5 (Katzman)	\$ (7,299)	\$10,000 CDN
Holdback: Intervening Investors Costs Pending Sale of Remaining Properties N21	\$ (10,949)	\$15,000 CDN
	<u>\$ (12,115)</u>	

**Funds remaining for distribution**

**\$ 2,934,672**

<u>Lender</u>	<u>ALLOWED AMOUNT</u>	<u>Percentage of Claim</u>	<u>Distribution</u>
1 1018073 B.C. Ltd. (Frank Geier)	200,000.00	2.8576%	\$ 83,860.24
2 1392530 Ontario Inc. (Shirley Chong)	200,000.00	2.8576%	\$ 83,860.24
3 1424604 Ontario Limited (Jim Richings)	150,000.00	2.1432%	\$ 62,895.18
4 2244512 Ontario Inc. (Ashis Chawla)	50,000.00	0.7144%	\$ 20,965.06
5 4422279 Canada Inc (Ron Shlien)	300,000.00	4.2864%	\$ 125,790.37
6 David Thomson	100,000.00	1.4288%	\$ 41,930.12
7 David Thomson (Re: Carolyn R. MacLeod)	100,000.00	1.4288%	\$ 41,930.12
8 Fore Bears Forensic Science Inc. (Vince Rochon)	300,000.00	4.2864%	\$ 125,790.37
9 Gonul Isinak	100,000.00	1.4288%	\$ 41,930.12
10 Gregory Ip Medicine Professional Corporation	500,000.00	7.1439%	\$ 209,650.61
11 James Tennent	150,000.00	2.1432%	\$ 62,895.18
12 Kevin Sterling	100,000.00	1.4288%	\$ 41,930.12
13 Langford Grain Inc. (Dave & Michelle Langford)	392,634.19	5.6099%	\$ 164,631.99
14 Lucy Ber	200,000.00	2.8576%	\$ 83,860.24
15 M2D2 Capital Resources, Inc. (Don Thomson)	200,000.00	2.8576%	\$ 83,860.24
16 Mark & Tara Pierog	500,000.00	7.1439%	\$ 209,650.61
17 Mark Freiman	200,000.00	2.8576%	\$ 83,860.24
18 Marty Shankman Agency Limited	150,000.00	2.1432%	\$ 62,895.18
19 Michael Kessel	35,000.00	0.5001%	\$ 14,675.54
20 New Gemini Inc. (Steve Sibley)	250,000.00	3.5720%	\$ 104,825.31
21 Paul Collins Professional Corporation	200,000.00	2.8576%	\$ 83,860.24
22 Reinrichmar Holdings Limited	150,000.00	2.1432%	\$ 62,895.18
23 Robert White	100,000.00	1.4288%	\$ 41,930.12
24 Ron Lapsker	500,000.00	7.1439%	\$ 209,650.61
25 Scott & Nada Tupling	420,000.00	6.0009%	\$ 176,106.51
26 Steven E. Freiman	300,000.00	4.2864%	\$ 125,790.37
27 Susan Latremaille	150,000.00	2.1432%	\$ 62,895.18
28 John Boag	150,000.00	2.1432%	\$ 62,895.18
29 Thornbridge Capital (Mark Ber & Jason Middleton)	300,000.00	4.2864%	\$ 125,790.37
30 Legacy Lifestyles Trailwinds Property LLC	290,977.00	4.1574%	\$ 122,007.01
31 Gregory L. Marchant	260,348.32	3.7198%	\$ 109,164.37
<b>Total</b>	<b><u>\$ 6,998,959.51</u></b>	<b><u>100.0000%</u></b>	<b><u>\$ 2,934,672.26</u></b>



**Schedule "B"**

**Trailwinds Distributions**

**TRAILWINDS DISTRIBUTION**

	<b>US FUNDS</b>	
Estimated Cash Balance as at September 5, 2024	\$ 3,447,000	
Less: Provision for remaining fees	\$ (91,241)	\$125,000.00 CDN conversion rate @ 1.37
Farley Cohen Proportionate Fees 1/5	\$ (15,691)	\$21,496.58 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (23,536)	\$32,244.88 CDN conversion rate @ 1.37
Cost Awards - Roberts - 1/3	\$ (24,331)	\$33,333.33 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (12,165)	\$16,666.67 CDN conversion rate @ 1.37
Cost Awards - Katzman - 1/5	\$ (7,299)	\$10,000 CDN conversion rate @ 1.37
Holdback Pending Sale of Remaining Properties	\$ (10,949)	\$15,000 CDN conversion rate @ 1.37
Destin unsecured claim	\$ 122,007	

**Funds remaining for distribution****\$ 3,383,794**

<b>Lender</b>	<b>Allowed Claim</b>	<b>Percentage of Claim</b>	<b>Distribution</b>
001 1387615 Ontario Limited (Scott Barrett)	72,648.02	0.7051%	\$ 23,860.55
002 2143700 Ontario Inc. (Larry/David Jackson)	200,000.00	1.9413%	\$ 65,688.09
003 2244512 Ontario Inc. (Ashis Chawla)	50,000.00	0.4853%	\$ 16,422.02
004 2464649 Ontario Inc. (Rick Woodgate)	100,000.00	0.9706%	\$ 32,844.04
005 Neale Brown	370,000.00	3.5913%	\$ 121,522.97
006 4422279 Canada Inc. (Ron Shlien)	400,010.00	3.8826%	\$ 131,379.46
007 9677658 Canada Inc. (Ken Wootton)	100,000.00	0.9706%	\$ 32,844.04
008 Alcran Holdings Ltd. (Ian Johnson)	100,000.00	0.9706%	\$ 32,844.04
009 Angellotti Holdings Inc.	50,000.00	0.4853%	\$ 16,422.02
010 Avni Suchak (Mitesh)	200,000.00	1.9413%	\$ 65,688.09
011 Basi Law Professional Corporation (Katy Basi)	50,000.00	0.4853%	\$ 16,422.02
012 Christiansen Investments Inc. (Arlene Christiansen)	1,500,000.00	14.5594%	\$ 492,660.67
013 Claremont Holdings Corporation (Ian Collins)	72,471.65	0.7034%	\$ 23,802.62
014 Donald C. Baker	100,000.00	0.9706%	\$ 32,844.04
015 Edward M. Hunter	200,000.00	1.9413%	\$ 65,688.09
016 Festivus Holdings Inc. (Steve & Mark Freiman)	550,000.00	5.3385%	\$ 180,642.25
017 Hallco Holdings Inc. (Mike Hall)	300,000.00	2.9119%	\$ 98,532.13
018 Ian and Moira Bell	150,000.00	1.4559%	\$ 49,266.07
019 Izabella Dykstra	50,000.00	0.4853%	\$ 16,422.02
020 James MacDonald	349,286.56	3.3903%	\$ 114,719.83
021 Katayoun Sarafian	100,000.00	0.9706%	\$ 32,844.04
022 Langford Grain Inc. (Dave & Michelle Langford)	1,064,783.68	10.3351%	\$ 349,718.03
023 Mad Apples Marketing Communications Inc. (David Power)	100,000.00	0.9706%	\$ 32,844.04
024 Michael Kessel	50,000.00	0.4853%	\$ 16,422.02
025 1000583755 Ontario Inc. (Olga de Wit)	100,000.00	0.9706%	\$ 32,844.04
026 MLC Financial Ltd.	200,000.00	1.9413%	\$ 65,688.09
027 NMP Investment Holdings Inc. (Nick Perpick)	250,000.00	2.4266%	\$ 82,110.11
028 Paul Collins Professional Corporation	225,000.00	2.1839%	\$ 73,899.10
029 Paura Professional Corporation (Mario Paura)	225,000.00	2.1839%	\$ 73,899.10
030 Peter G. Volpe	100,000.00	0.9706%	\$ 32,844.04
031 Reinrichmar Holdings Limited (Rick Reininger)	300,000.00	2.9119%	\$ 98,532.13
032 Richard W. Woodruff	200,000.00	1.9413%	\$ 65,688.09
033 Robert Barron	100,000.00	0.9706%	\$ 32,844.04
034 Robert White	50,000.00	0.4853%	\$ 16,422.02
035 Scott & Nada Tupling	300,000.00	2.9119%	\$ 98,532.13
036 Spectrum Jewellery Mfg. Inc.	720,800.00	6.9963%	\$ 236,739.87
037 Taler Investments Inc. (Mark Harrington)	100,000.00	0.9706%	\$ 32,844.04
038 The Asylum Inc.	450,000.00	4.3678%	\$ 147,798.20
039 Thornbridge Capital Inc.	100,000.00	0.9706%	\$ 32,844.04
040 TMP Investments Inc. (Mark Pierog)	400,000.00	3.8825%	\$ 131,376.18
041 Greg Marchant	202,611.39	1.9666%	\$ 66,545.78
<b>Total</b>	<b>\$ 10,302,611.30</b>	<b>100.0000%</b>	<b>\$ 3,383,794.27</b>

Court File No. CV-21-00668821-00CL <sup>43</sup>  
**HUNTER MILBORNE et al.**  
Defendants

and

**BERKID INVESTMENTS LIMITED**  
Plaintiff

Court File No. CV-22-00674717-00CL  
**LEGACY LIFESTYLES DESTIN PROPERTY LLC, et al.**  
Respondents

and

**LEGACY LIFESTYLES DESTIN LP, et al.**  
Applicants

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

PROCEEDING COMMENCED AT TORONTO

**ORDER**

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*Lawyers for Zeifman Partners Inc., in its capacity as Court-appointed Receiver*

Court File No. CV-21-00668821-00CL **44**  
**HUNTER MILBORNE et al.**  
Defendants

and

**BERKID INVESTMENTS LIMITED**  
Plaintiff

Court File No. CV-22-00674717-00CL  
**LEGACY LIFESTYLES DESTIN PROPERTY LLC, et al.**  
Respondents

and

**LEGACY LIFESTYLES DESTIN LP, et al.**  
Applicants

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

PROCEEDING COMMENCED AT TORONTO

**SUPPLEMENTARY MOTION RECORD**  
**(returnable September 25, 2024)**

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appointed Receiver*