



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

THE HONOURABLE
MR. JUSTICE NEWBOULD

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THURSDAY, THE
9th DAY OF FEBRUARY, 2015

B E T W E E N:

DBDC SPADINA LTD. and
THOSE CORPORATIONS LISTED ON SCHEDULE A HERETO

Applicants

-and-

NORMA WALTON, RONAULD WALTON,
THE ROSE & THISTLE GROUP LTD. and EGLINTON CASTLE INC.

Respondents

-and-

THOSE CORPORATIONS LISTED ON SCHEDULE B HERETO,
TO BE BOUND BY THE RESULT

ORDER

THIS MOTION, made by Florence Leaseholds Limited, Beatrice Leaseholds Limited and Ada Leaseholds Limited (the “**Dupont Mortgagees**”) for an order varying the initial appointment order dated November 5, 2013 (the “**Initial Order**”) to provide that the Manager’s Charge (as defined a paragraph 21 of the Initial Order) and the Manager’s Borrowings Charge (as defined a paragraph 24 of the Initial Order) are subordinate in priority to the first mortgage held by the Dupont Mortgagees in respect of the property municipally known as 1485 Dupont Street, Toronto, was heard ^{at ✓ on February 4, 2015 ✓} ~~this day~~ at 330 University Avenue, Toronto, Ontario.

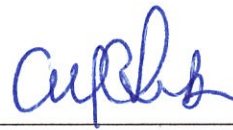
ON READING the Notice of Return of Motion of the Dupont Mortgagees dated January 23, 2015, the Motion Record of the Dupont Mortgagees dated May 21, 2014, inclusive of the Affidavit of Jack Brudner affirmed May 9, 2014, the Affidavit of Jack Brudner affirmed January 22, 2014, the Fifth Supplemental Report to the Twenty-Second Report of the Manager dated February 2, 2015, and on hearing the submissions of counsel for the Dupont Mortgagees, counsel for Schonfeld Inc. (the “**Manager**”) and counsel for the Applicants, and with no one else on the service list appearing, although served,

1. **THIS COURT ORDERS** that the Motion of the Dupont Mortgagees is hereby dismissed.

2. **THIS COURT ORDERS** that the Dupont Mortgagees shall pay the Manager’s costs of this Motion, fixed in the inclusive amount of \$2,500.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

MAR 12 2015
MB



C. CHIBA
REGISTRAR, SUPERIOR COURT OF JUSTICE
GREFFIER ADJOINT, COUR SUPÉRIEURE DE JUSTICE
330 UNIVERSITY AVE. 330 AVE. UNIVERSITY
7TH FLOOR 7E ÉTAGE
TORONTO, ONTARIO TORONTO, ONTARIO
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DBDC SPADINA LTD. et al
Applicants

-and- NORMA WALTON et al
Respondents

Court File No. CV 13-10280-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

ORDER

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