

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE *MR*)
JUSTICE *T. McEwen*)
)

THURSDAY, THE 19th
DAY OF MARCH, 2015

BETWEEN:

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 IN Schedule B HERETO, TO BE
BOUND BY THE RESULT

ORDER

(Releasing 19 Tennis Crescent, 646 Broadview Avenue and 346 Jarvis Street, Unit C from the operation of the Judgment and Order of Justice Brown dated August 12, 2014)

THIS MOTION, made by Schonfeld Inc. in its capacity as the Court-appointed receiver/manager (the “**Manager**”) pursuant to the Order of Justice Brown dated August 12, 2014 (the “**August 12 Order**”) for an Order: (a) Releasing 19 Tennis Crescent (“**19 Tennis**”), 646 Broadview Avenue (“**646 Broadview**”) and 346 Jarvis Street, Unit C, being all of PIN 21105-0162 (LT) (“**346 Jarvis**”) (collectively, the “**Disputed Properties**”) from the operation of the August 12 Order; and (b) authorizing the deletion of the application for court order registered

against the title to 346 Jarvis on November 3, 2014 as Instrument No. AT3731749, was heard this day at 330 University Avenue, Toronto, Ontario.

ON HEARING the submissions of counsel for the Manager, no one appearing for any other person on the service list:

1. THIS COURT ORDERS that the time for service of the Notice of Motion and the Motion Record is hereby abridged so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. THIS COURT ORDERS AND DECLARES that the Disputed Properties shall be removed from Schedule "C" to the August 12 Order.
3. THIS COURT ORDERS AND DECLARES that the application for court order registered against the title to 346 Jarvis on November 3, 2014 as Instrument No. AT3731749 (the "**Application for Court Order**") be deleted and expunged from the parcel register for 346 Jarvis.
4. THIS COURT ORDERS that upon the registration in the Land Registry Office for the Land Titles Division of Toronto (No. 80) of an application to amend based on court order with respect to 346 Jarvis (the "**Application to Amend Based on Court Order**"), in the form prescribed by the *Land Titles Act* and/or the *Land Registration Reform Act*, the Land Registrar is hereby directed to delete and expunge from title to the Lands the Application for Court Order and the Application to Amend Based on Court Order.



Schedule A Companies

1. Dr. Bernstein Diet Clinics Ltd.
2. 2272551 Ontario Limited
3. DBDC Investments Atlantic Ltd.
4. DBDC Investments Pape Ltd.
5. DBDC Investments Highway 7 Ltd.
6. DBDC Investments Trent Ltd.
7. DBDC Investments St. Clair Ltd.
8. DBDC Investments Tisdale Ltd.
9. DBDC Investments Leslie Ltd.
10. DBDC Investments Lesliebrook Ltd.
11. DBDC Fraser Properties Ltd.
12. DBDC Fraser Lands Ltd.
13. DBDC Queen's Corner Ltd.
14. DBDC Queen's Plate Holdings Inc.
15. DBDC Dupont Developments Ltd.
16. DBDC Red Door Developments Inc.
17. DBDC Red Door Lands Inc.
18. DBDC Global Mills Ltd.
19. DBDC Donalda Developments Ltd.
20. DBDC Salmon River Properties Ltd.
21. DBDC Cityview Lands Ltd.
22. DBDC Weston Lands Ltd.
23. DBDC Double Rose Developments Ltd.
24. DBDC Skyway Holdings Ltd.
25. DBDC West Mall Holdings Ltd.
26. DBDC Royal Gate Holdings Ltd.
27. DBDC Dewhurst Developments Ltd.
28. DBDC Eddystone Place Ltd.
29. DBDC Richmond Row Holdings Ltd.

Schedule B Companies

1. Twin Dragons Corporation
2. Bannockburn Lands Inc. / Skyline – 1185 Eglinton Avenue Inc.
3. Wynford Professional Centre Ltd.
4. Liberty Village Properties Ltd.
5. Liberty Village Lands Inc.
6. Riverdale Mansion Ltd.
7. Royal Agincourt Corp.
8. Hidden Gem Development Inc.
9. Ascalon Lands Ltd.
10. Tisdale Mews Inc.
11. Lesliebrook Holdings Ltd.
12. Lesliebrook Lands Ltd.
13. Fraser Properties Corp.
14. Fraser Lands Ltd.
15. Queen's Corner Corp.
16. Northern Dancer Lands Ltd.
17. Dupont Developments Ltd.
18. Red Door Developments Inc. and Red Door Lands Ltd.
19. Global Mills Inc.
20. Donalda Developments Ltd.
21. Salmon River Properties Ltd.
22. Cityview Industrial Ltd.
23. Weston Lands Ltd.
24. Double Rose Developments Ltd.
25. Skyway Holdings Ltd.
26. West Mall Holdings Ltd.
27. Royal Gate Holdings Ltd.
28. Royal Gate Nominee Inc.
29. Royal Gate (Land) Nominee Inc.
30. Dewhurst Development Ltd.
31. Eddystone Place Inc.
32. Richmond Row Holdings Ltd.

- 33. El-Ad (1500 Don Mills) Limited
- 34. 165 Bathurst Inc.

Schedule C Properties

- 35. 3270 American Drive, Mississauga, Ontario
- 36. 0 Luttrell Ave., Toronto, Ontario
- 37. 2 Kelvin Avenue, Toronto, Ontario
- 38. 346 Jarvis Street, Suites A, B, C, E and F, Toronto, Ontario
- 39. 1 William Morgan Drive, Toronto, Ontario
- 40. 324 Prince Edward Drive, Toronto, Ontario
- 41. 24 Cecil Street, Toronto, Ontario
- 42. 30 and 30A Hazelton Avenue, Toronto, Ontario
- 43. 777 St. Clarens Avenue, Toronto, Ontario
- 44. 252 Carlton Street and 478 Parliament Street, Toronto, Ontario
- 45. 66 Gerrard Street East, Toronto, Ontario
- 46. 2454 Bayview Avenue, Toronto, Ontario
- 47. 319-321 Carlaw, Toronto, Ontario
- 48. 260 Emerson Ave., Toronto, Ontario
- 49. 44 Park Lane Circle, Toronto, Ontario
- 50. 19 Tennis Crescent, Toronto, Ontario
- 51. 646 Broadview, Toronto, Ontario

DBDC SPADINA LTD., et al
Applicants

NORMA WALTON, et al
Respondents

Court File No. CV-13-10280-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
Commercial List**

Proceeding commenced at Toronto

**MOTION RECORD OF THE MANAGER,
SCHONFELD INC.**

(Motion for an Order releasing 19 Tennis Crescent, 646 Broadview Avenue and 346 Jarvis Street, Unit C from the operation of the Judgment and Order of Justice Brown dated August 12, 2014)

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