

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE ) THURSDAY, THE 4TH  
JUSTICE W. D. BLACK ) DAY OF APRIL, 2024

B E T W E E N:

**ROYAL BANK OF CANADA**

Applicant

- and -

**TRANS EMERGE TRANSPORT INC.**

Respondent

**ORDER**

THIS MOTION, made by msi Spergel inc. in its capacity as the Court-appointed receiver (the "Receiver") of the undertaking, property and assets of Trans Emerge Transport Inc. (the "Debtor"), appointed pursuant to the Order of the Honourable Justice Wilton-Siegel dated January 22, 2024, for an Order seeking possession of the Trailers (as defined below) and other related relief as set-out in the Notice of Motion dated March 25, 2024, was heard this day by judicial teleconference via Zoom at 330 University Avenue, Toronto, Ontario.

ON READING the First Report of the Receiver dated March 25, 2024, and on hearing the submissions of counsel for the Receiver and all other counsel and parties present, no one else appearing for any other person on the service list, although properly served as appears from the affidavit of Isabelle Stacey sworn March 25, 2024, filed;

1. **THIS COURT ORDERS** that the Receiver is entitled to immediate possession of the equipment in the possession of 2352628 Ontario Inc., operating as Hub Truck Centre ("Hub Truck Centre"), described as:

- a. 2018 Wabash Dry Van VIN: 1JJV532D2JL047322
- b. 2018 Wabash Dry Van VIN: 1JJV532D5JL047251
- c. 2018 Wabash Dry Van VIN: 1JJV532D1JL047263
- d. 2018 Wabash Dry Van VIN: 1JJV532D6JL047310
- e. 2018 Wabash Dry Van VIN: 1JJV532D7JL047316
- f. 2018 Wabash Dry Van VIN: 1JJV532D1JL047330
- g. 2018 Wabash Dry Van VIN: 1JJV532D7JL047249
- h. 2018 Wabash Dry Van VIN: 1JJV532D0JL047318
- i. 2018 Wabash Dry Van VIN: 1JJV532D5JL047346
- j. 2018 Wabash Dry Van VIN: 1JJV532D4JL047225
- k. 2018 Wabash Dry Van VIN: 1JJV532D1JL047246
- l. 2018 Wabash Dry Van VIN: 1JJV532D3JL047250
- m. 2018 Wabash Dry Van VIN: 1JJV532D2JL047336
- n. 2018 Wabash Dry Van VIN: 1JJV532D8JL047230
- o. 2018 Wabash Dry Van VIN: 1JJV532D1JL047313
- p. 2018 Wabash Dry Van VIN: 1JJV532D5JL047234

and any other property of the Debtor in the possession of Hub Truck Centre, as requested by the Receiver (collectively, the “Trailers”).

2. **THIS COURT ORDERS** that the Receiver shall not be required to make any payments to Hub Truck Centre, or any other person, to secure the immediate release and possession of the Trailers to the Receiver and/or its agents.

3. **THIS COURT ORDERS** that Hub Truck Centre provide particulars as to the whereabouts of the Trailers to the Receiver, the Receiver’s bailiff, the Sheriff in the jurisdiction where the Trailers are located, and the police, including the Halton Regional Police and the Peel Regional Police, if necessary.

4. **THIS COURT ORDERS** that Hub Truck Centre grant the Receiver, the Receiver’s bailiff, the Sheriff in the jurisdiction where the Trailers are located and/or the police including the Halton Regional Police and the Peel Regional Police access to the premises where the Trailers are located

including, but not limited to, 8029 Hornby Road, Halton Hills, Ontario. This includes the entrance to any locked premises, garages and the entry into gated yards, and the removal of any equipment that may be blocking the recovery of the Trailers for the purpose of removing same.

5. **THIS COURT ORDERS** that Hub Truck Centre's claims will not be prejudiced by the releasing of possession of the Trailers to the Receiver.

6. **THIS COURT ORDERS** that this Order and all of its provisions are effective from the date of this Order and is enforceable without any need for entry or filing.

A handwritten signature in blue ink, appearing to read 'W. D. Black', is written above a horizontal line.

Justice W. D. Black  
Justice, Ontario Superior Court of Justice

(Commercial List)

ROYAL BANK OF CANADA

v.

TRANS EMERGE TRANSPORT INC.

Applicant

Respondent

Court File No. CV-24-00712328-00CL

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

PROCEEDING COMMENCED AT  
TORONTO, ONTARIO

**ORDER**

**HARRISON PENZA** <sup>LLP</sup>  
Barristers & Solicitors  
130 Dufferin Avenue, Suite 1101  
London, Ontario N6A 5R2

**Timothy C. Hogan (LSO #36553S)**

Tel : (519) 679-9660

Fax: (519) 667-3362

Email: [thogan@harrisonpensa.com](mailto:thogan@harrisonpensa.com)

Lawyers for the Receiver,  
msi Spergel inc.