PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENQUIRY RESPONSE

CERTIFICATE

RUN NUMBER: 276

RUN DATE : 2024/10/02

ID: 20241002095629.25

REPORT : PSSR060 PAGE : 3 (37871

TYPE OF SEARCH : BUSINESS DEBTOR SEARCH CONDUCTED ON : ADCO FREIGHT FILE CURRENCY : 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN PILE NUMBER 00503821404 CAUTION PAGE TOTAL MOTOR VEHICLE REGISTRATION
FILING NO. 05 PAGES SCHEDULE: NUMBER
002 2 20240326 0947 2611 6160 REGISTERED REGISTRATION UNDER PERIOD 0.1 INITIAL SURNAME DATE OF BIRTH FIRST GIVEN NAME 02 DEBTOR 03 NAME BUSINESS NAME ADCO FRETGHT ONTARTO CORPORATION NO. ON L5T 1R7 04 ADDRESS 1190 MEYERSIDE DRIVE MISSISSAUGA DATE OF BURTH FIRST GIVEN NAME 0.5 DEBTOR 06 NAME BUSINESS NAME ONTARIO CORPORATION NO. 07 ADDRESS AAN KALO KANTANIAN MARKATANIAN MARKATANIANI MARKATANIAN MARKATANIAN MARKATANIANI MARKATANI MAR SECURED PARTY / LIEN CLAIMANT 09 ADDRESS COLLATERAL CLASSIFICATION CONSUMER MOTOR VEHICLE AMOUNT DATE OF NO FIXED MATURITY OR MATURITY DATE GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED 10 .V.I.N. YEAR MAKE MOTOR 11 VEHICLE 12 13 GENERAL 14 COLLATERAL 15 DESCRIPTION 16 REGISTERING AGENT 17 ADDRESS *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY, ***

CERTIFIED BY/CERTIFIÉES PAR Quintanilla REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SÚRETÉS MOBILIÈRES (critfy 05/2022)

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PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENQUIRY RESPONSE CERTIFICATE

RUN NUMBER: 276

RUN DATE : 2024/10/02 ID: 20241002095629.25 PAGE : 3788)

(

REPORT : PSSR060

TYPE OF SEARCH

: BUSTNESS DEBTOR SEARCH CONDUCTED ON : ADCO FREIGHT

FILE CURRENCY

: 010CT 2024

INFORMATION RELATING TO THE REGISTRATIONS LISTED BELOW IS ATTACHED HERETC.

FILE NUMBER

REGISTRATION NUMBER

REGISTRATION NUMBER

REGISTRATION NUMBER

REGISTRATION NUMBER

503821404

20240326 0947 2611 6160

1 REGISTRATION(S) ARE REPORTED IN THIS ENQUIRY RESPONSE.

CERTIFIED BY/CERTIFIÉES PAR REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SURETÉS MOSILIÈRES

(crtj6 05/2022)



PROVINCE OF ONTARIO
MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY
PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM
ENQUIRY RESPONSE
CERTIFICATE

RUN NUMBER: 276 RUN DATE: 2024/10/02 ID: 20241002095609.37 REPORT : PSSR060 PAGE : 1 (3777)

THIS IS TO CERTIFY THAT A SEARCH HAS BEEN MADE IN THE RECORDS OF THE CENTRAL OFFICE OF THE PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM IN RESPECT OF THE FOLLOWING:

TYPE OF SEARCH

: BUSINESS DEBTOR

SEARCH CONDUCTED ON : ADCO COURIERS LTD.

FILE CURRENCY

: 010CT 2024

ENQUIRY NUMBER 20241002095609.37 CONTAINS 8 PAGE(S), 2 FAMILY(IES).

THE SEARCH RESULTS MAY INDICATE THAT THERE ARE SOME REGISTRATIONS WHICH SET OUT A BUSINESS DEBTOR NAME WHICH IS SIMILAR TO THE NAME IN WHICH YOUR ENQUIRY WAS MADE. IF YOU DETERMINE THAT THERE ARE OTHER SIMILAR BUSINESS DEBTOR NAMES, YOU MAY REQUEST THAT ADDITIONAL ENQUIRIES BE MADE AGAINST THOSE NAMES.

AIRD & BERLIS LLP ATTN: JENAYA MCLEAN HOLD FOR PICKUP TORONTO ON M5J2T9 CERTIFIED BY/CERTIFIÉES PAR

(CERTIFIED BY/CERTIFIÉES PAR

REGISTRAR OF
PERSONAL PROPERTY SECURITY/
LE REGISTRATEUR
DES SURETÉS MOBILIÈRES

(crf(6 05/2022)



RUN NUMBER: 276
RUN DATE: 2024/10/02
TD: 20241002095609.37

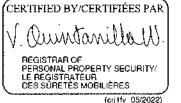
PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM ENQUIRY RESPONSE

CERTIFICATE

REPORT : PSSR060 PAGE : 2 (3778)

TYPE OF SEARCH : BUSINESS DEBTOR SEARCH CONDUCTED ON : ADCO COURIERS LTD. TILE CURRENCY - 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN FILE NUMBER 789705297 00 CAUPION PAGE TOTAL MOTOR VEHICLE REGISTRATION REGISTERED REGISTRATION
FILING NO. OF PAGES SCHEDULE DUMBER UNDER PERIOD

001 1 20230103 1655 1793 6597 P PPSA 3 01 SURNAME DATE OF BIRTH FIRST GIVEN NAME 02 DESTOR 03 NAME BUSINESS NAME ADCO COURIERS LATE ONTARIO CORPORATION NO. MISSISSAUGA ON L4W2P5 04 ADDRESS 204-1515 MATHESON BLVD EAST INITIAL SURNAME DATE OF BIRTH PIRST GIVEN NAME 05 DEBTOR NAME 06 BUSINESS NAME ONTARIO CORPORATION NO. 07 ADDRESS SECURED PARTY / 08 FROMT STREET LEASING LP O/A DILAWRI LEASING LIEN CLAIMANT address 09 300-87 FRONT STREET EAST TORONTO M5E1B8 COLLATERAL CLASSIFICATION :: CONSUMER MOTOR VEHICLE AMOUNT DATE OF NO FIXED MATURITY OR MATURITY DATE GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLIDED X X 88040 X 10 YEAR MAKE MODEL V.I.N. MOTOR 2023 CHEVROLET TAHOE 1GNSKPKD3PR205367 11 12 VEHICLE 13 GENERAL COLLATERAL 14 DESCRIPTION 15 REGISTERING FRONT STREET LEASING LP O/A DILAWRI LEASING 16 AGENT 300.87 FRONT STREET EAST M5E1B8 TORONTO *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY. ***



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CONTINUED...



PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY RUN NUMBER : 276 PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM RUN DATE : 2024/10/02

ID: 20241002095609.37

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VEHICLE

AGENT

2023 ITD

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REPORT : PSSR060 PAGE : 3779)

TYPE OF SEARCH : BUSINESS DEBTOR SEARCH CONDUCTED ON : ADCO COURIERS LTD. FILE CURRENCY : 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN FILE NUMBER 785664531 0.0 REGISTRATION REGISTERED REGISTRATION CAUPTON PAGE TOTAL MOTOR VEHICLE NO. OF PAGES SCHEDULE NUMBER UNDER PERIOD 20220809 1702 1462 0330 01 004 P PPSA DATE OF BIRTH TIRST GIVEN NAME INITIAL SURNAME 02 DEBTOR ... 03 BUSINESS NAME 1175648 ONTARIO LIMITED NAME ONTARIO CORPORATION NO. ON L5T1R7 04 MISSISSAUGA ADDRESS 1190 MEYERSIDE DR. ukt i maa isalaudilib INITIAL SURNAME DATE OF BIRTH PERST GIVEN NAME 0.5 DEBTOR 06 NAME BUSINESS NAME: ADCO COURTERS LTD. ONTARIO CORPORATION NO. ON LST1R7 07 ADDRESS 1190 MEYERSIDE DR. MISSISSAUGA 08 SECURED PARTY / MERCADO CAPITAL CORPORATION LIEN CLAIMANT 09 ADDRESS 1900 - 13450 102 AVENUE SURREY V3T5Y1 COLLATERAL CLASSIFICATION ... CONSUMER DATE OF NO FIXED MOTOR VEHICLE AMOUNT GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED MATURITY OR MATURITY DATE χ 10 MODEL 53: COMPOSITE TR YEAR MAKE V.I.N. MOTOR 2023 ITD 11 2TX1FMB26PE230001

53' COMPOSITE TR

13 GENERAL. TOGETHER WITH ALL ATTACHMENTS, ACCESSORIES, ACCESSIONS,

COLLATERAL REPLACEMENTS, SUBSTITUTIONS, ADDITIONS AND IMPROVEMENTS THERETO, AND 14

DESCRIPTION ALL PROCEEDS IN ANY FORM DERIVED DIRECTLY OR INDIRECTLY FROM ANY

MERCADO CAPITAL CORPORATION 16 REGISTERING.

ADDRESS 1900 - 13450 102 AVENUE 17

V3T5Y1 SURREY BC

*** FOR FURTHER INFORMATION, CONFACT THE SECURED PARTY. ***

2TX1FMB28PE230002

CONTINUED... 4 CERTIFIED BY/CERTIFIÉES PAR REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SURETÉS MOBILIÈRES

(cr)1fv 05/2022)



PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY

RUN NUMBER: 276

RUN DATE : 2024/10/02

ID: 20241002095609.37

TYPE OF SEARCH BUSINESS DEBTOR

PERSONAI, PROPERTY SECURITY REGISTRATION SYSTEM
ENOUIRY RESPONSE

CERTIFICATE

REPORT : PSSR060 PAGE : 4 (3780)

SEARCH CONDUCTED ON T ADCO COURTERS LTD. FILE CURRENCY : 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN CTIE NUMBER 00 785664531 PAGE TOTAL MOTOR VEHICLE REGISTRATION REGISTERED REGISTRATION NO. OF PAGES SCHEDULE NUMBER UNDER PERIOD CAUTION . FILING 20220809 1702 1462 0330 P PPSA 01 004 SURNAME DATE OF BIRTH FIRST GIVEN NAME DEBTOR BALAYOGENDRIAN 02 18NOV1962 Α BALASINGAM 03 NAME BUSINESS NAME ONTARIO CORPORATION NO. 04 CALEDON ON 1,7C1P2 ADDRESS 115 KING STREET FIRST GIVEN NAME INITIAL SURNAME 05 DEBTOR NAME 06 BUSINESS NAME " بالكراه المسلم ONTARIO CORPORATION NO. 07 ADDRESS SECURED PARTY / 08 LIEN CLATMANT 09 ADDRESS COLLATERAL CLASSIFICATION : CONSUMER...... MOTOR VEHICLE AMOUNT DATE OF NO FIXED GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED MATURITY OR MATURITY DATE 10 MODEL YEAR MAKE VIIN 11 MOTOR 2023 ITD 53 COMPOSITE TR 2TX1FMB2XPE230003 VEHICLE 12 13 DEALING WITH THE COLLATERAL OR PROCEEDS THEREOF, AND WITHOUT GENERAL COLLATERAL LIMITATION, MONRY, CHEQUES, DEPOSITS IN DEPOSIT TAKING INSTITUTIONS, 14 15 DESCRIPTION GOODS, ACCOUNTS RECEIVABLE, RENTS OR OTHER PAYMENTS ARISING FROM THE 16 REGISTERING MERCADO CAPITAL CORPORATION AGENT V3T5Y1 ADDRESS: 1900 - 13450 102 AVENUE SURREY *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY. ***

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PROVINCE OF ONTARIO

RUN NUMBER: 276

RUN DATE : 2024/10/02

IU: 20241002095609.37

TYPE OF SEARCH : BUSINESS DEBTOR

MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENQUIRY RESPONSE

CERTIFICATE

REPORT : PSSR060 PAGE : 5 3781.)

SEARCH CONDUCTED ON : ADCO COURTERS LTD. FILE CURRENCY 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN FILE NUMBER 0.0 785664531 CAUTION PAGE TOTAL MOTOR VEHICLE REGISTRATION REGISTERED REGISTRATION FILING NO. OF PAGES SCHEDULE NUMBER UNDER PERIOD

03 004 20220809 1702 1462 0330 P PPSA 6 01 INITIAL SURNAME DATE OF BIRTH FIRST GIVEN NAME 02 DEBTOR 03 NAME BUSINESS NAME ONTARIO CORPORATION NO. 04ADDRESS INITIAL SURNAME DATE OF BIRTH FIRST GIVEN NAME 05 DEBTOR 06 NAME Business name ONTARIO CORPORATION NO. 07 ADDRESS SECURED PARTY / 0.8 LIEN CLAIMANT N CDRIFTON 09 COLLATERAL CLASSIFICATION CONSUMER MOTOR VEHICLE AMOUNT DATE OF NO FIXED GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED MATURITY OR MATURITY DATE 10 YEAR MAKE delement 11 VEHICLE 13 GENERAL LEASE OF THE COLLATERAL, CHATTEL PAPER, INSTRUMENTS, INTANGIBLES, DOCUMENTS OF TITLE, SECURITIES, AND RIGHTS OF INSURANCE PAYMENTS OR 14 COLLATERAL DESCRIPTION ANY OTHER PAYMENTS AS INDEMNITY OR COMPENSATION FOR LOSS OR DAMAGE 16 REGISTERING MERCADO CAPITAL CORPORATION V3T5Y1 _ADDRESS : 1900 - 13450 102 AVENUE SURREY alkatiki Vivid *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY. *** CONTINUED... 6

CERTIFIED BY/CERTIFIÉES PAR REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SÜRETÉS MOBILIÈRES

(critfy 05/2022)



PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY

RUN NUMBER : 276

RUN DATE : 2024/10/02

ID: 20241002095609.37

PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENOUIRY RESPONSE

CERTIFICATE

REPORT : PSSR060 PAGE : - 5 3782)

TYPE OF SEARCH : BUSINESS DEBTOR SEARCH CONDUCTED ON : ADCO COURIERS LTD. FILE CURRENCY : 010CT 2024 FORM 1C FINANCING STATEMENT / CLAIM FOR LIEN FITE NUMBER 785664531 0.0 CAUTION PAGE TOTAL MOTOR VEHICLE REGISTRATION REGISTERED REGISTRATION FILING NO. OF PAGES SCHEDULE NUMBER UNDER PERIOD 01 004 20220809 1702 1462 0330 P PPSA 6 INITIAL SURNAME DATE OF BIRTH FIRST GIVEN NAME 02 DEBTOR NAME 03 Business name ONTARIO CORPORATION NO. 04ADDRESS DATE OF BIRTH SURNAME FIRST GIVEN NAME 05 DEBTOR NAME 06 BUSTNESS NAME ONTARIO CORPORATION NO. 07 ADDRESS 08 SECURED PARTY / LIEN CLAIMANT 09 ADDRESS COLLATERAL CLASSIFICATION : 8 AMOUNT DATE OF NO FIXED CONSUMER MOTOR VEHTCLE AMOUNT MATURITY OR MATURITY DATE GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED 10 YEAR MAKE MOTOR V.I.N. ·· MODEL · 11 12 VEHICLE 13 GENERAL TO THE COLLATERAL OR PROCEEDS OF THE COLLATERAL. 14 COLLATERAL DESCRIPTION MERCADO CAPITAL CORPORATION 16 REGISTERING AGENT 17 BANGA MATERIAL BOOK V3T5Y1 ADDRESS 1900 13450 102 AVENUE SURREY BC *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY. *** 7 CONTINUED...

CERTIFIED BY/CERTIFIÉES PAR REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SÚRETÉS MOBILIÈRES

(critty 05/2022)



PROVINCE OF ONTARIO

RUN NUMBER: 276

RUN DATE : 2024/10/02

ID: 20241002095609.37

TYPE OF SEARCH : BUSINESS DEBTOR SEARCH COMPECTED OF : ADCO COURIERS LTD. MINISTRY OF PUBLIC AND HUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENQUIRY RESPONSE CERTIFICATE REPORT : PSSR060 PAGE : 7 (3783)

FILE CURRENCY : 010CT 2024 FORM 2C FINANCING CHANGE STATEMENT / CHANGE STATEMENT CAUTION PAGE TOTAL NOTOR VEHICLE REGISTRATION REGISTERED NO. OF PAGES SCHEDULE 20220830 1156 9102 4040 01 001 785664531 21 RECORD rile nomber RENEWAL CORRECT REFERENCED PERIOD NO SPECIFIC PAGE AMENDED CHANGE REQUIRED YEARS PAGE AMENDED A AMENDMENT 22 INITIAL SURNAME FIRST GIVEN NAME (w) - suski + 11 23 REFERENCE 24 DEBTOR/ BUSINESS NAME 1175648 ONTARIO LIMITED TRANSFEROR : 25 OTHER CHANGE REASON/ 26 AMENDED TO CORRECT INDIVIDUAL DEBTOR'S NAME. 27 DESCRIPTION 28 SURNAME 02/DATE OF BERTH PERST GIVEN NAME: INITIAL DEBTOR/ 18NOV1962 BALAYOGENDIRAN "BALASTNGAM 05 TRANSFEREE BUSINESS NAME ONTARIO CORPORATION NO. 06 ON 1,70 1 P2 04/07 ADDRESS 115 KING STREET CALEDON 29 ASSIGNOR SECURED PARTY/LIEN CLAIMANT/ASSIGNEE 08 09 ADDRESS COLLATERAL CLASSIFICATION CONSUMER NO FIXED DATE OF MOTOR VEHICLE GOODS INVENTORY EQUIPMENT ACCOUNTS OTHER INCLUDED AMOUNT MATURITY OR MATURITY DATE 10 V.I.N. 11 MOTOR 10.00 12 AEHICPE. 13 GENERAL 14 COLLATERAL 15 DESCRIPTION 16 REGISTERING AGENT OR MERCADO CAPITAL CORPORATION 17 SECURED PARTY/ ADDRESS SUITE 1900-13450 102 AVE SURREY V3T 5Y1 LIEN CLAIMANT *** FOR FURTHER INFORMATION, CONTACT THE SECURED PARTY...***

FOR PORTION INPORTATION, CONTACT THE SECOND PARTY.

CERTIFIED BY/CERTIFIÉES PAR

V. QUIMONULA IV.

REGISTRAR OF
PERSONAL PROPERTY SECURITY/
LE REGISTRATEUR
DES SURETÉS MOBILIÈRES

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(crj2fv 05/2022)



PROVINCE OF ONTARIO MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

ENQUIRY RESPONSE CERTIFICATE

REPORT : PSSR060 PAGE : (3784)

TYPE OF SEARCH

RUN NUMBER: 276

RUN DATE : 2024/10/02

ID : 20241002095609.37

: BUSTNESS DEBTOR SEARCH CONDUCTED ON : ADCO COURIERS LTD.

FILE CURRENCY

: 010CT 2024

INFORMATION RELATING TO THE REGISTRATIONS LISTED BELOW IS ATTACHED HERETO.

FILE NUMBER

REGISTRATION NUMBER

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789705297

20230103 1655 1793 6597

785664531

20220809 1702 1462 0330

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CERTIFIED BY/CERTIFIÉES PAR

REGISTRAR OF PERSONAL PROPERTY SECURITY/ LE REGISTRATEUR DES SÚRETÉS MOBILIÈRES

(crtj6 05/2022)

Ontario 👸

This is Exhibit "I" referred to in the Affidavit of Michael Foster sworn before me at Toronto, Ontario, this 7^{th} day of October, 2024

C. Delfin

Commissioner for Taking Affidavits



Sanjeev P.R. Mitra Direct: 416.865.3085 E-mail: smitra@airdberlis.com

July 24, 2024

DELIVERED BY REGULAR MAIL, REGISTERED MAIL AND EMAIL (<u>bbala@adcologistics.com</u>)

1175648 ONTARIO LIMITED

7459 Mclean Road West Puslinch, ON N0B 2J0

Attention: Balayogendiran Balasingam, Director

Re: Indebtedness of 1175648 Ontario Limited (the "Debtor") to Royal Bank of Canada ("RBC") as guaranteed by Balayogendiran Balasingam

We are the lawyers for RBC in connection with its lending arrangements with the Debtor.

The Debtor is indebted to RBC with respect to, *inter alia*, certain credit facilities (the "Credit Facilities") made available by RBC to the Debtor pursuant to and under the terms of: (i) a credit agreement between RBC and the Debtor dated November 17, 2022 and accepted November 24, 2022 (the "Primary Credit Agreement"); and (ii) a Master Lease Agreement dated December 12, 2022 and its schedules (together with the Primary Credit Agreement, the "Credit Agreements").

Certain of the Credit Facilities are payable on demand. One or more Events of Default (as defined in the Credit Agreements) has also occurred.

As of July 22, 2024, the following amounts are due and owing to RBC for principal and interest pursuant to certain of the Credit Facilities made available under the Credit Agreements:

Revolving Demand Facility	\$2,509,052.99
Per Diem (\$543.43)	
Credit card facility ending 0247	\$196,504.57
Credit card facility ending 4647	\$30,902.82
	\$2,736,460,38

On behalf of RBC, and without in any way prejudicing RBC from demanding any other amount properly owing to it, we hereby make formal demand for payment of \$2,736,460.38 plus accruing interest and any and all costs and expenses (including, without limitation, any legal and other professional fees) incurred by RBC to the date of indefeasible repayment of all amounts owed to RBC pursuant to the Credit Agreements (collectively, the "Indebtedness"). Payment is required to be made immediately. Interest continues to accrue on the Indebtedness at the rates established by the Credit Agreements and any other agreement, as applicable.

The Indebtedness is secured by, *inter alia*, the general security agreement dated November 24, 2022, granted by the Debtor in favour of RBC, which grants RBC, amongst other things, a security interest in any and all of the Debtor's property, assets and undertakings.

If payment of the Indebtedness is not received immediately, RBC shall take whatever steps it may consider necessary or appropriate to collect and recover the amounts owing to it, including, without limitation: (i) the commencement of civil legal proceedings against the Debtor; and/or (ii) the appointment of an interim receiver, receiver and/or receiver and manager of the Debtor, in which case RBC will also be seeking all costs incurred in so doing.

Please govern yourself accordingly.

Yours truly,

AIRD & BERLIS LLP

Sanjeev P.R. Mitra

SPRM/cd





Sanjeev P.R. Mitra Direct: 416.865.3085 E-mail: smitra@airdberlis.com

July 24, 2024

DELIVERED BY REGULAR MAIL, REGISTERED MAIL AND EMAIL (<u>bbala@adcologistics.com</u>)

BALAYOGENDIRAN BALASINGAM

1757 Rowntree Court Mississauga, ON L4W 4V3

Dear Balayogendiran Balasingam:

Re: Indebtedness of 1175648 Ontario Limited (the "Debtor") to Royal Bank of Canada ("RBC") as guaranteed by Balayogendiran Balasingam (the "Guarantor")

We are the lawyers for RBC in connection with its lending arrangements with the Debtor.

The Debtor is indebted to RBC with respect to, *inter alia*, certain credit facilities (the "Credit Facilities") made available by RBC to the Debtor pursuant to and under the terms of: (i) a credit agreement between RBC and the Debtor dated November 17, 2022 and accepted November 24, 2022 (the "Primary Credit Agreement"); and (ii) a Master Lease Agreement dated December 12, 2022 and its schedules (together with the Primary Credit Agreement, the "Credit Agreements").

You, the Guarantor, personally guaranteed the Debtor's obligations to RBC, including, without limitation, those under the Credit Agreements, pursuant to a written guarantee and postponement of claim dated November 24, 2022 (the "**Guarantee**"). The Guarantee is limited to the principal amount of \$750,000.00 plus interest from the date of demand.

Certain of the Credit Facilities are payable on demand. One or more Events of Default (as defined in the Credit Agreements) has also occurred.

As of July 22, 2024, the following amounts are due and owing to RBC for principal and interest pursuant to certain of the Credit Facilities made available under the Credit Agreements:

Revolving Demand Facility	\$2,509,052.99
Per Diem (\$543.43)	
Credit card facility ending 0247	\$196,504.57
Credit card facility ending 4647	\$30,902.82
	\$2,736,460.38

On behalf of RBC, and without in any way prejudicing RBC from demanding any other amount properly owing to it, we hereby make formal demand for payment of \$750,000.00 plus accruing interest and any and all costs and expenses (including, without limitation, any legal and other professional fees) incurred by RBC to the date of indefeasible repayment of all amounts owed to RBC pursuant to the Guarantee (collectively, the "Indebtedness"). Payment is required to be made immediately. Interest continues to accrue on the Indebtedness at the rates established by the Credit Agreements, the Guarantee and any other agreement, as applicable.

If payment of the Indebtedness is not received immediately, RBC shall take whatever steps it may consider necessary or appropriate to collect and recover the amounts owing to it, including, without limitation, the commencement of civil legal proceedings against you, the Guarantor, personally, in which case RBC will also be seeking all costs incurred in so doing.

Please govern yourself accordingly.

Yours truly,

AIRD & BERLIS LLP

Sanjeev P.R. Mitra SPRM/cd

This is Exhibit "J" referred to in the Affidavit of Michael Foster sworn before me at Toronto, Ontario, this 7^{th} day of October, 2024

C. Delfin

Commissioner for Taking Affidavits

From: Sanjeev Mitra

Sent: September 11, 2024 5:11 PM

To: Calvin Ho

Cc: Cristian Delfino; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Calvin, thanks for your email.

The proposal below is not acceptable to the bank.

At this stage, the bank has instructed me to take enforcement steps to recover amounts owed to the bank without further notice.

Sanjeev Mitra, B.Sc., LL.B.

Partner

T 416.865.3085

E smitra@airdberlis.com

Aird & Berlis LLP

This email is intended only for the individual or entity named in the message. Please let us know if you have received this email in error. If you did receive this email in error, the information in this email may be confidential and must not be disclosed to anyone.

From: Calvin Ho <cho@laishleyreed.com> **Sent:** Tuesday, September 10, 2024 1:23 PM **To:** Sanjeev Mitra <smitra@airdberlis.com>

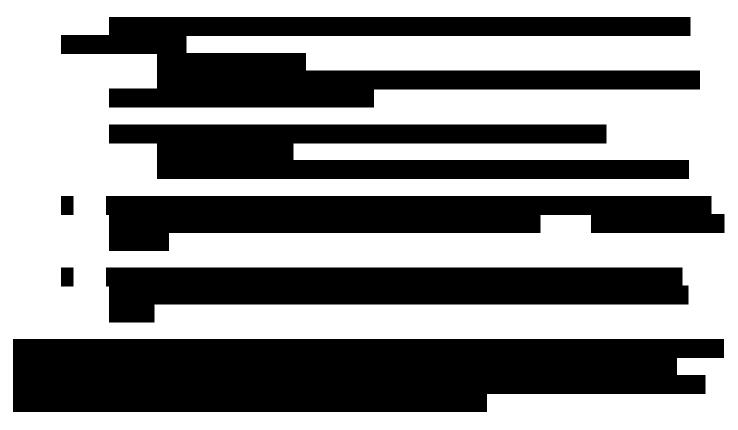
Cc: Cristian Delfino <cdelfino@airdberlis.com>; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Sanj,

I have now had an opportunity to review the Bank's draft forbearance agreement in detail with our clients and their accountants.





I look forward to discussing further with you.

Regards,

Calvin J. Ho Laishley|Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2 Tel: 416.981.9430

Fax: 416.981.0060 www.laishleyreed.com

From: Calvin Ho

Sent: Thursday, September 5, 2024 2:14 PM **To:** Sanjeev Mitra < smitra@airdberlis.com >

Cc: Cristian Delfino < cdelfino@airdberlis.com >; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Hi Sanj, apologies, I wasn't aware until recently that our client had spoken with the Bank, but I believe we are scheduled to speak together with Mukul about a revised proposal for resolution once he returns from being away which I understand is today. I am hopeful of being able to receive instructions and send you something by Monday or Tues. latest.

Regards,

Calvin J. Ho Laishley|Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2 Tel: 416.981.9430 Fax: 416.981.0060 www.laishleyreed.com

From: Sanjeev Mitra < smitra@airdberlis.com > Sent: Thursday, September 5, 2024 1:49 PM To: Calvin Ho <cho@laishleyreed.com >

Cc: Cristian Delfino < cdelfino@airdberlis.com >; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Calvin, I understood that the bank and your client spoke on Tuesday and we were to have received a revised forbearance or some other proposal. I have not seen anything as of yet.

When can we expect same as this matter does need to move if the bank is to work with your client.

Thanks

Sanj

Sanjeev Mitra, B.Sc., LL.B.

Partner

T 416.865.3085

E smitra@airdberlis.com

Aird & Berlis LLP

This email is intended only for the individual or entity named in the message. Please let us know if you have received this email in error. If you did receive this email in error, the information in this email may be confidential and must not be disclosed to anyone.

From: Calvin Ho < cho@laishleyreed.com > Sent: Sunday, August 25, 2024 10:50 PM

To: Sanjeev Mitra <smitra@airdberlis.com>; Cristian Delfino <cdelfino@airdberlis.com>

Cc: Cristian Delfino <cdelfino@airdberlis.com>; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Hi Sanj,

Apologies, I have a meeting scheduled with our client tomorrow, so ought to be able to get back to you by Wednesday.

Regards,

Calvin J. Ho Laishley|Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2

Tel: 416.981.9430 Fax: 416.981.0060 www.laishleyreed.com

From: Sanjeev Mitra < sent: Sunday, August 25, 2024 9:51 AM

To: Calvin Ho <<u>cho@laishleyreed.com</u>>; Cristian Delfino <<u>cdelfino@airdberlis.com</u>>

Cc: Cristian Delfino < cdelfino@airdberlis.com >; smitra@airdbelis.com

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Calvin, just following up on this.

The bank needs to finalize an arrangement if it is going work with your clients. Can you let us know when we can expect to hear back from you?

Thanks

Sanj

Sanjeev Mitra, B.Sc., LL.B.

T 416.865.3085

E smitra@airdberlis.com

Aird & Berlis LLP

This email is intended only for the individual or entity named in the message. Please let us know if you have received this email in error. If you did receive this email in error, the information in this email may be confidential and must not be disclosed to anyone.

From: Calvin Ho <cho@laishleyreed.com>
Sent: Wednesday, August 14, 2024 10:36 AM
To: Cristian Delfino <cdelfino@airdberlis.com>
Cc: Sanjeev Mitra <smitra@airdberlis.com>

Subject: RE: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Hi Cristian, thank you, this is short notice though and does not give me much time to review with our clients. I am also not retained by Ranjini Balayogendiran at this time, who may require independent legal advice.

I will aim to review as quickly as possible though and provide you with any comments.

Regards,

Calvin J. Ho Laishley|Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2

Tel: 416.981.9430 Fax: 416.981.0060 www.laishleyreed.com

From: Cristian Delfino < cdelfino@airdberlis.com > Sent: Wednesday, August 14, 2024 10:17 AM

To: Calvin Ho < cc: Sanjeev Mitra < smitra@airdberlis.com>

Subject: Forbearance Agreement - RBC's Loans to 1175648 Ontario Limited

Good morning Calvin,

My name is Cristian Delfino at Aird & Berlis LLP and I am working with Sanj on the above-mentioned matter.

Further to earlier communications, please see the forbearance agreement attached to this email.

As you'll see within, please note the sign-back deadline of August 16, 2024 by no later than 4:00 p.m.

Thank you,

Cristian

Cristian Delfino (he/him)

T 416.865.7748

F 416.863.1515

E cdelfino@airdberlis.com

Aird & Berlis LLP | Lawyers

Brookfield Place, 181 Bay Street, Suite 1800 Toronto, Canada M5J 2T9 | airdberlis.com



This email is intended only for the individual or entity named in the message. Please let us know if you have received this email in error. If you did receive this email in error, the information in this email may be confidential and must not be disclosed to anyone.

This is Exhibit "K" referred to in the Affidavit of Michael Foster sworn before me at Toronto, Ontario, this 7^{th} day of October, 2024

C. Delfin

Commissioner for Taking Affidavits



Sanjeev Mitra Direct: 416.865.3085 E-mail: smitra@airdberlis.com

September 18, 2024

DELIVERED BY REGULAR MAIL, REGISTERED MAIL AND EMAIL (<u>bbala@adcologistics.com</u> & <u>cho@laishleyreed.com</u>)

1175648 ONTARIO LIMITED

7459 McLean Road West Puslinch, ON NOB 2J0

Attention: Balayogendiran Balasingam, Director

1175648 ONTARIO LIMITED

c/o Laishley Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2

Attention: Calvin Ho, Counsel for 1175648 Ontario Limited

Re: Indebtedness of 1175648 Ontario Limited (the "Debtor") to Royal Bank of Canada ("RBC") as guaranteed by Balayogendiran Balasingam

As you know, we are the lawyers for RBC in connection with its lending arrangements with the Debtor.

Reference is made to the formal written demand made upon the Debtor dated July 24, 2024 (the "**Demand**"). No payment has been made in response to the Demand.

As of September 16, 2024, the following figures reflect the updated amounts of principal and interest owing pursuant to the revolving demand facility and the two VISA facilities referenced in the Demand:

- a) Revolving demand facility ending 001 \$2,505,865.21;
- b) Credit card facility ending 0247 \$201,714.31; and
- c) Credit card facility ending 4647 \$36,154.57.

On behalf of RBC, we hereby enclose a Notice of Intention to Enforce Security delivered pursuant to subsection 244(1) of the *Bankruptcy and Insolvency Act* (Canada) (the "**BIA Notice**"). Please note that the amount reflected in the BIA Notice includes all amounts (including, without limitation, the Debtor's lease arrangements with RBC, including HST) currently secured by the security granted by RBC.

RBC hereby reserves its rights to initiate proceedings within the ten (10) day period set out in the BIA Notice, if circumstances warrant such proceedings.

Please govern yourself accordingly.

September 18, 2024 Page 2

Yours truly,

AIRD & BERLIS LLP

Sanjeev Mitra

SM/cd

Encl.

NOTICE OF INTENTION TO ENFORCE SECURITY (Bankruptcy and Insolvency Act, Subsection 244(1))

DELIVERED BY REGULAR MAIL, REGISTERED MAIL AND EMAIL (bbala@adco-logistics.com & cho@laishleyreed.com)

TO: 1175648 ONTARIO LIMITED

7459 McLean Road West Puslinch, ON N0B 2J0

1175648 ONTARIO LIMITED

c/o Laishley Reed LLP 3 Church Street, Suite 505 Toronto, ON M5E 1M2

insolvent company / person

TAKE NOTICE that:

- Royal Bank of Canada ("RBC"), a secured creditor, intends to enforce its security on the property, assets and undertakings of 1175648 Ontario Limited (the "Debtor"), including, without limiting the generality of the foregoing, all the equipment, accounts, proceeds, books and records, inventory and all other personal property of the Debtor.
- 2. The security that is to be enforced (the "**Security**") is in the form of, *inter alia*, the general security agreement dated November 24, 2022 granted by the Debtor in favour of RBC, which grants RBC, amongst other things, a security interest in any and all of the Debtor's personal property, assets and undertakings.
- 3. As at September 16, 2024, the total amount of the indebtedness secured by the Security is **\$5,313,581.69** in principal and interest, plus accruing interest and recovery costs and fees of RBC (including, without limitation, RBC's legal and other professional fees).
- 4. RBC will not have the right to enforce the Security until after the expiry of the ten (10) day period after this notice is sent, unless the Debtor consents to an earlier enforcement.

DATED at Toronto this 18th day of September, 2024.

ROYAL BANK OF CANADA

by its lawyers, Aird & Berlis LLP

Per:

Sanjeev Mitra

Brookfield Place, Suite 1800 181 Bay Street, Box 754 Toronto, ON M5J 2T9 Tel: 416-863-1500

Fax: 416-863-1515

Note: This Notice is given for precautionary purposes only and there is no acknowledgement that any person to whom this Notice is delivered is insolvent, or that the provisions of the *Bankruptcy and Insolvency Act* apply to the enforcement of this security.



This is Exhibit "L" referred to in the Affidavit of Michael Foster sworn before me at Toronto, Ontario, this 7^{th} day of October, 2024

C. Delfin

Commissioner for Taking Affidavits

ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

ROYAL BANK OF CANADA

Applicant

- and -

1175648 ONTARIO LIMITED

Respondent

APPLICATION UNDER SUBSECTION 243(1) OF THE BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF THE COURTS OF JUSTICE ACT, R.S.O. 1990, c. C.43, AS AMENDED

CONSENT

The undersigned, msi Spergel inc. ("**Spergel**"), hereby consents to the appointment of Spergel as receiver, without security, of all the assets, undertakings and properties of 1175648 Ontario Limited (the "**Debtor**") acquired for, or used in relation to a business carried on by the Debtor and all proceeds thereof, all pursuant to the provisions of section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended.

DATED at Toronto, this 2nd day of October, 2024.

msi Spergel inc.

Per:

Name: Mukul Manchanda Title: Managing Partner

I have authority to bind the Corporation.

Applicant Respondent

Court File No. CV-24-00004738-0000

ONTARIO SUPERIOR COURT OF JUSTICE

Proceedings commenced at Brampton

CONSENT TO ACT AS RECEIVER

AIRD & BERLIS LLP

Barristers and Solicitors Brookfield Place 181 Bay Street, Suite 1800 Toronto, ON M5J 2T9

Sanjeev P.R. Mitra (LSO# 37934U)

Tel: (416) 865-3085 Fax: (416) 863-1515

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Jeremy Nemers (LSO# 66410Q)

Tel: (416) 865-7724

Email: jnemers@airdberlis.com

Cristian Delfino (LSO# 87202N)

Tel: (416) 865-7748

 $Email: \underline{cdelfino@airdberlis.com}$

Lawyers for Royal Bank of Canada

Applicant Respondent

Court File No. CV-24-00004738-0000

ONTARIO SUPERIOR COURT OF JUSTICE

Proceedings commenced at Brampton

AFFIDAVIT OF MICHAEL FOSTER (sworn October 7, 2024)

AIRD & BERLIS LLP

Barristers and Solicitors Brookfield Place 181 Bay Street, Suite 1800 Toronto, ON M5J 2T9

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Tel: (416) 865-3085 Fax: (416) 863-1515

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Jeremy Nemers (LSO # 66410Q)

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Email: jnemers@airdberlis.com

Cristian Delfino (LSO # 87202N)

Tel: (416) 865-7748 Fax: (416) 863-1515

Email: cdelfino@airdberlis.com

Lawyers for Royal Bank of Canada

TAB 5

ONTARIO SUPERIOR COURT OF JUSTICE

BETWEEN:

ROYAL BANK OF CANADA

Applicant

- and -

1175648 ONTARIO LIMITED

Respondent

APPLICATION UNDER SUBSECTION 243(1) OF THE BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF THE COURTS OF JUSTICE ACT, R.S.O. 1990, c. C.43, AS AMENDED

SERVICE LIST

(current as of October 16, 2024)

TO: AIRD & BERLIS LLP

Brookfield Place 181 Bay Street, Suite 1800 Toronto, ON M5J 2T9

Sanj Mitra (LSO # 37934U)

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Email: smitra@airdberlis.com

Jeremy Nemers (LSO # 66410Q)

Tel: (416) 865-7724

Email: jnemers@airdberlis.com

Cristian Delfino (LSO #87202N)

Tel: (416) 865-7748

Email: cdelfino@airdberlis.com

Lawyers for Royal Bank of Canada

AND	1175648 ONTARIO LIMITED
TO:	7459 Mclean Road West
	Puslinch, ON N0B 2J0
	Respondent
AND	MSI SPERGEL INC.
TO:	200 Yorkland Boulevard, Suite 1100
	Toronto, ON M2J 5C1
	Mukul Manchanda
	Tel: (416) 498-4314
	Email: mmanchanda@spergel.ca
	Zimmi immunumuu e spergerieu
	Proposed Receiver
ANID	HADDIGON DENGA LAD
AND TO:	HARRISON PENSA LLP
10:	130 Dufferin Avenue, Suite 1101
	London, ON N6A 5R2
	Tim Hogan
	Tel: (519) 661-6743
	Email: thogan@harrisonpensa.com
	Lawyers for Proposed Receiver
AND	MERCEDES-BENZ FINANCIAL SERVICES CANADA
TO:	CORPORATION
	2680 Matheson Blvd. East, Suite 500
	Mississauga, ON L4W 0A5
	Comment Dante
	Secured Party
AND	BUSINESS DEVELOPMENT BANK OF CANADA
TO:	81 Bay Street, Suite 3700
	Toronto, ON M5J 0E7
	Secured Party
AND	VFS CANADA INC.
TO:	238 Wellington Street East, 3 rd Floor
	Aurora, ON L4G 1J5
	Secured Party

TO: 800-9900 King George Blvd. Surrey, BC V3T 0K7 Secured Party AND BANK OF MONTREAL 5750 Explorer Drive, 3rd Floor Mississauga, ON L4W 0A9 Secured Party AND SOMERVILLE NATIONAL LEASING & RENTALS LIMITED TO: 75 Arrow Road Toronto, ON M9M 2L4 Secured Party AND CONCENTRA BANK TO: c/o Comm Leasing, 333 3rd Street Saskatoon, SK S7K 2M2 Secured Party
AND TO: Secured Party BANK OF MONTREAL TO: 5750 Explorer Drive, 3 rd Floor Mississauga, ON L4W 0A9 Secured Party AND TO: SOMERVILLE NATIONAL LEASING & RENTALS LIMITED 75 Arrow Road Toronto, ON M9M 2L4 Secured Party AND CONCENTRA BANK TO: c/o Comm Leasing, 333 3rd Street Saskatoon, SK S7K 2M2
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AND TO: SOMERVILLE NATIONAL LEASING & RENTALS LIMITED 75 Arrow Road Toronto, ON M9M 2L4 Secured Party AND CONCENTRA BANK TO: c/o Comm Leasing, 333 3rd Street Saskatoon, SK S7K 2M2
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TO: c/o Comm Leasing, 333 3rd Street Saskatoon, SK S7K 2M2
Saskatoon, SK S7K 2M2
Secured Party
AND MERCADO CAPITAL CORPORATION
TO: 1900-13450 102 Avenue
Surrey, BC V3T 5Y1
Secured Party
AND BODKIN, A DIVISION OF BENNINGTON FINANCIAL
TO: CORPORATION
102-1465 North Service Road East
Oakville, ON L6H 1A7
Secured Party
AND MITSUBISHI HC CAPITAL CANADA LEASING INC.
TO: 301-3390 South Service Road
Burlington, ON L7N 3J5
Secured Party

AND	TOYOTA CREDIT CANADA INC.
TO:	80 Micro Court
	Markham, ON L3R 9Z5
	Secured Party
AND	TOYOTA INDUSTRIES COMMERCIAL FINANCE CANADA, INC.
TO:	630-401 The West Mall
	Toronto, ON M9C 5J5
	Secured Party
AND	THE BANK OF NOVA SCOTIA
TO:	10 Wright Blvd.
	Stratford, ON N5A 7X9
	Secured Party
AND	BANK OF MONTREAL
TO:	250 Yonge Street, 9 th Floor
	Toronto, ON M5B 2L7
	Secured Party
AND	CWB NATIONAL LEASING INC.
TO:	1525 Buffalo Place
	Winnipeg, MB R3T 1L9
	Secured Party
AND	RIORDAN LEASING INC.
TO:	1158 King Street East
	Kitchener, ON N2G 2N4
	Secured Party
AND	FREW ENERGY LIMITED
TO:	1380 Grahams Lane
	Burlington, ON L7S 1W3
	Secured Party
	Secured Party

AND	OFFICE OF THE SUPERINTENDENT OF BANKRUPTCY CANADA
TO:	151 Yonge Street, 4 th Floor
	Toronto, ON M5C 2W7
	Email: osbservice-bsfservice@ised-isde.gc.ca
AND	ATTORNEY GENERAL OF CANADA
TO:	Department of Justice of Canada
	Ontario Regional Office, Tax Law Section
	120 Adelaide Street West, Suite 400
	Toronto, ON M5H 1T1
	Email: AGC-PGC.Toronto-Tax-Fiscal@justice.gc.ca
AND	HIS MAJESTY THE KING IN RIGHT OF CANADA
TO:	as represented by Ministry of Finance
	Legal Services Branch
	Revenue Collections Branch – Insolvency Unit
	33 King Street West, 6 th Floor
	Oshawa, ON L1H 8H5
	Email: insolvency.unit@ontario.ca
	Email: msorvency.unit@ontairo.ca

EMAIL SERVICE LIST

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<u>AGC-PGC.Toronto-Tax-Fiscal@justice.gc.ca; insolvency.unit@ontario.ca;</u>

ROYAL BANK OF CANADA

- and - 1175648 ONTARIO LIMITED

Applicant Respondent

Court File No. CV-24-00004738-0000

ONTARIO SUPERIOR COURT OF JUSTICE

Proceedings commenced at Brampton

APPLICATION RECORD

(returnable on November 15, 2024)

AIRD & BERLIS LLP

Barristers and Solicitors Brookfield Place 181 Bay Street, Suite 1800 Toronto, ON M5J 2T9

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Cristian Delfino (LSO #87202N)

Tel: (416) 865-7748 Fax: (416) 863-1515

Email: cdelfino@airdberlis.com

Lawyers for Royal Bank of Canada