

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) DAY, THE 12TH
JUSTICE CONWAY) DAY OF AUGUST, 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 (the "Appointment Order"), for an Order seeking certain ancillary relief, was heard this day by judicial teleconference via Zoom at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion dated August 2, 2024, the Second Report of the Receiver dated August 1, 2024 (the "Second Report"), the Supplement to the Second Report dated August 9, 2024 (the "Supplemental Report") 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 affidavits of Isabelle Stacey sworn August 2, 2024 and August 9, 2024, filed;

SERVICE

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Notice of Motion and the Motion Record be and is abridged so that this motion is properly returnable today and hereby dispenses with further service and confirmation hereof.

REPORT AND ACTIVITIES OF THE RECEIVER

2. **THIS COURT ORDERS** that the Second Report and the Supplemental Report and the activities and conduct of the Receiver as detailed therein, be and are approved; provided however, that only the Receiver, 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.

STATEMENT OF RECEIPTS AND DISBURSEMENTS

3. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements as detailed in the Second Report, are hereby approved.

FEE APPROVAL

4. **THIS COURT ORDERS** that the Receiver's fees and disbursements, as detailed in the Second Report and set out in set out in the Affidavit of Philip Gennis, sworn July 17, 2024 and attached as Appendix "19" to the Second Report, are hereby approved.

5. **THIS COURT ORDERS** that the Receiver's counsel's fees and disbursements, as detailed in the Second Report and set out in set out in the Affidavit of Thomas Masterson, sworn August 1, 2024 and attached as Appendix "20" to the First Report, are hereby approved.

GENERAL

6. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada, the United States, or any other jurisdiction, to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an

officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Receiver in any foreign proceeding, or to assist the Receiver and its agents in carrying out the terms of this Order

7. **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.



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

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