

JUSTICE CONWAY

OF AUGUST, 2018

BETWEEN:

ONTARIO SECURITIES COMMISSION

Applicant

- and -

CRYSTAL WEALTH MANAGEMENT SYSTEM LIMITED, CLAYTON SMITH, CLJ EVEREST LTD., 1150752 ONTARIO LIMITED, CRYSTAL WEALTH MEDIA STRATEGY, CRYSTAL WEALTH MORTGAGE STRATEGY, CRYSTAL ENLIGHTENED RESOURCE & PRECIOUS METALS FUND, CRYSTAL WEALTH MEDICAL STRATEGY, CRYSTAL WEALTH ENLIGHTENED FACTORING STRATEGY, ACM GROWTH FUND, ACM INCOME FUND, CRYSTAL WEALTH HIGH YIELD MORTGAGE STRATEGY, CRYSTAL ENLIGHTENED BULLION FUND, ABSOLUTE SUSTAINABLE DIVIDEND FUND, ABSOLUTE SUSTAINABLE PROPERTY FUND, CRYSTAL WEALTH ENLIGHTENED HEDGE FUND, CRYSTAL WEALTH INFRASTRUCTURE STRATEGY, CRYSTAL WEALTH CONSCIOUS CAPITAL STRATEGY, CRYSTAL WEALTH RETIREMENT ONE FUND and CHRYSALIS YOGA INC.

Respondents

**APPLICATION UNDER SECTION 129 OF THE SECURITIES ACT
R.S.O. 1990, c. S.5, AS AMENDED**

JUDGMENT

THIS MOTION, made by Grant Thornton Limited ("**GTL**"), in its capacity as the Court-appointed receiver and manager (in such capacity, the "**Receiver**"), without security, of all of the assets, undertakings and properties of each of the Respondents except the Respondent, Chrysalis Yoga Inc. ("**Chrysalis Yoga**") (each of the Respondents except for Chrysalis Yoga being individually and collectively, the "**Crystal Wealth Group**"), for, among other relief requested by the Receiver in its Notice of Motion dated July 20, 2018, judgment against 1092545 B.C. Ltd., was heard this day at 330 University Avenue, Toronto, Ontario.

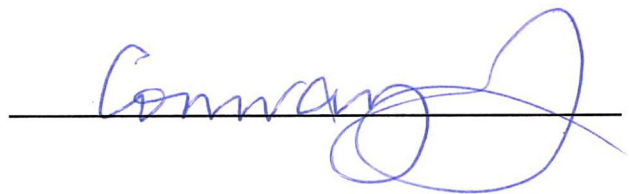
ON READING the Fourth Report of the Receiver dated July 20, 2018 (the "**Fourth Report**"), including paragraphs 283 to 286 and Appendix 93 thereof with respect to the failure of 1092545 B.C. Ltd. to deliver payment of (USD) \$50,000 to the Receiver on or before February 15, 2018, in breach of a settlement agreement dated December 20, 2017 entered into by the Receiver and 1092545 B.C. Ltd., and on hearing the submissions of counsel for the Receiver, no one appearing for 1092545 B.C. Ltd., although duly served as appears from the affidavit of service of Miranda Spence sworn August 16, 2018, filed,

1. **THIS COURT ORDERS AND ADJUDGES** that 1092545 B.C. Ltd. pay to the Receiver an amount in Canadian funds sufficient to purchase \$50,000 in United States Dollars at a bank in Ontario listed in Schedule I to the *Bank Act* (Canada) at the close of business on the first day on which the bank quotes a Canadian dollar rate for purchase of the foreign currency before the day payment of the obligation ordered and adjudged herein is received by the Receiver from 1092545 B.C. Ltd..

2. **THIS COURT ORDERS AND ADJUDGES** that 1092545 B.C. Ltd. shall pay to the Receiver pre-judgment interest from February 16, 2018 to the date hereof on the sum ordered in paragraph 1 above, and shall pay to the Receiver post-judgment interest on the sum ordered in paragraph 1 above, in accordance with s. 128 and s. 129 of the *Courts of Justice Act*.

3. **THIS COURT ORDERS AND ADJUDGES** that the costs of this motion, as against 1092545 B.C. Ltd., are fixed in the sum of \$ 2000, all and are payable to the Receiver forthwith by 1092545 B.C. Ltd.. inclusive of PC

THIS JUDGMENT BEARS INTEREST at the rate of 3 per cent per year on the sum ordered in paragraph 1 above, and on the award of costs ordered in paragraph 3 above, commencing on August 20, 2018.



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AUG 20 2018

PER / PAR:



Applicant

Respondents

Court File No. CV-17-11779-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceedings commenced at Toronto

JUDGMENT

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