



Court File No. CV-18-00608086-00CL

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

THE HONOURABLE MR

JUSTICE *HAINES*

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THURSDAY, THE 20TH

DAY OF JUNE, 2019

BETWEEN:

ONTARIO SECURITIES COMMISSION

Applicant

- and -

MONEY GATE MORTGAGE INVESTMENT CORPORATION

Respondent

**APPLICATION UNDER
Sections 126 and 129 of the *Securities Act*, R.S.O. 1990, C.S.5, as amended**

ORDER

THIS MOTION made by Grant Thornton Limited in its capacity as Court-appointed receiver ("**Receiver**") of Money Gate Mortgage Investment Corporation ("**MGMIC**"), for an order, *inter alia*:

1. abridging the time for service of the Receiver's Notice of Motion and the Receiver's Motion Record;

2. approving the First Report to the Court dated November 18, 2018 (the “**First Report**”), the Second Report to the Court dated May 9, 2019 (the “**Second Report**”) and the conduct and activities of the Receiver as described therein;
3. compelling Toronto-Dominion Bank, TD Canada Trust and Royal Bank of Canada (collectively, the “**Banks**”) to provide to the Receiver account statements and any cheques, drafts or any other documents and information required by the Receiver (collectively, the “**Records**”) pertaining to the bank accounts now or previously held in the name of MGMIC (the “**MGMIC Accounts**”);
4. compelling the Banks to provide to the Receiver the Records pertaining to the bank accounts now or previously held in the name of Ben Katebian and 2399029 Ontario Inc. (collectively, the “**Katebian Accounts**”) for the period from and including May 1, 2014;
5. compelling Toronto-Dominion Bank and TD Canada Trust (collectively, “**TD Bank**”) to provide to the Receiver the Records pertaining to the bank account of 2546456 Ontario Inc. (the “**Dovercourt Bank Accounts**”) for the time period from and including November 16, 2016; and
6. approving the Receiver’s Interim Statement of Receipts and Disbursements for the period from November 6, 2018 to April 30, 2019 attached as Appendix E to the Second Report (the “**Interim R&D**”),

was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Second Report and the Appendices thereto, and on hearing the submissions of counsel for the Receiver,

1. **THIS COURT ORDERS** that the time for service of the Receiver's Notice of Motion and Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the First Report, the Second Report and the conduct and activities of the Receiver as described therein be and hereby are approved.
3. **THIS COURT ORDERS** that the Banks forthwith disclose, produce and deliver up to the Receiver the Records pertaining to the MGMIC Accounts.
4. **THIS COURT ORDERS** that the Banks forthwith disclose, produce and deliver up to the Receiver the Records pertaining to the Katebian Accounts for the period from and after May 1, 2014.
5. **THIS COURT ORDERS** that TD Bank forthwith disclose, produce and deliver up to the Receiver the Records pertaining to the Dovercourt Bank Accounts for the period from and after November 16, 2016.
6. **THIS COURT ORDERS** that the Interim R&D be and hereby is approved.

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ONTARIO SECURITIES COMMISSION
Applicant

-and- MONEY GATE MORTGAGE INVESTMENT
Respondent

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**ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)**

PROCEEDING COMMENCED AT
TORONTO, ONTARIO

ORDER

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