



Court File No. CV-20-00649154-00CL

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

THE HONOURABLE	)	TUESDAY, THE 22 nd
	)	
MADAM JUSTICE KIMMEL	)	DAY OF NOVEMBER, 2022

B E T W E E N:

CLEARFLOW COMMERCIAL FINANCE CORP.

Applicant

-and-

**TRIGGER WHOLESALE, INC., THE EN CADRE GROUP INC.,
MARK GDAK, JAIMEE LYNN GDAK and JAIMAK REAL PROPERTIES INC.**

Respondents

APPLICATION UNDER Sections 243(1) and 47(1) of the *Bankruptcy and Insolvency Act*,
R.S.C.1985, c. B-3, Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43 and Rule
40.01 of the *Rules of Civil Procedure*

ORDER

THIS MOTION, made by Grant Thornton Limited (“**GTL**”) in its capacity as the Court-appointed receiver (the “**Receiver**”) of the assets, property and undertaking of Trigger Wholesale, Inc. and The En Cadre Group Inc. (collectively, the “**Debtors**”) and certain real property owned by each of Jaimak Real Properties Inc. or Jaimee Lynn Gdak, as set out in Schedule “A” (collectively, the “**Real Property**”) to the Order of Mr. Justice McEwen dated October 22, 2020 (the “**Appointment Order**”), for an order, for the relief as set out in the Notice of Motion dated November 10, 2022, was heard this day by Zoom videoconference due to the COVID-19 pandemic.

ON READING the ninth report of the Receiver dated November 9, 2022 (the "**Ninth Report**"), the affidavit of Jacob Wiebe sworn November 9, 2022 (the "**Wiebe Affidavit**"), the affidavit of Christine Mason sworn November 9, 2022 (the "**Mason Affidavit**") and on hearing the submissions of counsel for the Receiver, counsel for Clearflow Commercial Finance Corp, counsel for the Respondents, none of whom take a position with respect to the relief sought, and such other counsel as listed on the participant sheet, no one appearing for any other person on the service list, although properly served, as appears from the affidavits of service of Mariela Adriana Gasparini sworn November 11, 2022, November 14, 2022 and November 17, 2022.

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the 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 capitalized terms not defined herein shall have the meanings ascribed thereto in the Ninth Report.
3. **THIS COURT ORDERS** that the Ninth Report of the Receiver and the activities of the Receiver, as described in the Ninth Report, be and are hereby 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.
4. **THIS COURT ORDERS** that the interim statement of receipts and disbursements as at October 31, 2022, be and is hereby approved.
5. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to make a distribution to Cleafow Commercial Finance Corp. in the amount of \$1,211,304.06.
6. **THIS COURT ORDERS** that the Receiver be and is hereby authorized to make a distribution to Canada Revenue Agency in the amount of \$1,117.67.
7. **THIS COURT ORDERS** that the fees and disbursements of the Receiver for the period July 1, 2022 to October 31, 2022, as set out in the Wiebe Affidavit, be and is hereby approved.

8. **THIS COURT ORDERS** that the fees and disbursements of Borden Ladner Gervais LLP (“**BLG**”), legal counsel to the Receiver for the period July 1, 2022 to October 31, 2022, as set out in the Mason Affidavit, be and is hereby approved.

9. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States 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 or to assist the Receiver and its agents in carrying out the terms of this Order.



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Kimmel

Date: 2022.11.29 09:11:23
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PROCEEDING COMMENCED AT
TORONTO

ORDER

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Lawyers for Grant Thornton Limited, in its capacity as Court-
appointed Receiver of Trigger Wholesale, Inc. and The En Cadre
Group Inc.