

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

THE HONOURABLE	)	FRIDAY, THE 20th
	)	
MADAM JUSTICE CONWAY	)	DAY OF AUGUST, 2021

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 August 12, 2021, was heard this day by Zoom videoconference due to the COVID-19 pandemic.

ON READING the fifth report of the Receiver dated August 12, 2021 (the "**Fifth Report**"), the affidavit of Jacob Wiebe sworn August 12, 2021 (the "**Wiebe Affidavit**"), the affidavit of Christine Mason sworn August 6, 2021 (the "**Mason Affidavit**") and on hearing the submissions of counsel for the Receiver, counsel for Clearflow Commercial Finance Corp, counsel for the Respondents and such other counsel as listed on the counsel slip, no one appearing for any other person on the service list, although properly served, as appears from the affidavit of Mariela Adriana Gasparini sworn August 13, 2021.

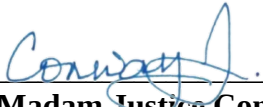
1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that capitalized terms not defined herein shall have the meanings ascribed thereto in the Fifth Report.
3. **THIS COURT ORDERS** that the Fifth Report of the Receiver and the activities of the Receiver, as described in the Fifth 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 June 30, 2021, be and is hereby approved.
5. **THIS COURT ORDERS** that the fees and disbursements of the Receiver for the period May 1, 2021 to July 31, 2021, as set out in the Wiebe Affidavit, be and are hereby approved.
6. **THIS COURT ORDERS** that the fees and disbursements of Borden Ladner Gervais LLP ("**BLG**"), legal counsel to the Receiver for the period May 1, 2021 to August 31, 2021, as set out in the Mason Affidavit be and is hereby approved.
7. **THIS COURT ORDERS** that the Receiver is authorized to make a distribution to Clearflow Commercial Finance Corp. ("**Clearflow**") in the amount of \$5,300,000, from the proceeds of the Trigger Real Property, as described in the Fifth Report.

8. **THIS COURT ORDERS** that the Receiver is authorized to make a distribution to Waterloo North Condominium Corporation No. 9 in the amount of \$3,467, solely from the proceeds arising from the sale of the property located at 265 Old Post Rd, Waterloo, Ontario.

9. **THIS COURT ORDERS** that the Receiver is authorized to provide any information obtained from the computers or cell phones for each of Mark Gdak and Jaimee Lynn Gdak that has been produced to the Receiver (the “**Information**”), or access to the Information to Clearflow.

10. **THIS COURT ORDERS** that any third party in possession or control of the Information, is authorized and directed to provide the Information, or access to the Information to Clearflow.

11. **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.



Madam Justice Conway

CLEARFLOW COMMERCIAL FINANCE CORP.
Applicant

-and-

TRIGGER WHOLESale, INC. et al.
Respondents

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SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

PROCEEDING COMMENCED AT
TORONTO

ORDER

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