

CRYSTAL WEALTH MANAGEMENT SYSTEM LIMITED, CRYSTAL
WEALTH ENLIGHTENED FACTORING STRATEGY and CRYSTAL
WEALTH ENLIGHTENED HEDGE FUND, by their Court-Appointed
Receiver and Manager, GRANT THORNTON LIMITED
Plaintiffs

and

ROBERT MALJAARS, DARCY PAHL, MARION DENHOLLANDER and
JEFFREY MALJAARS
Defendants

Court File No. CV-18-604459-00CL

Nov 15/18

15 Nov 18

See yellow page
endorsement. and to go
as per draft filed & signed
as amended.

McE

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

MOTION RECORD
(Returnable November 15, 2018)

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Lawyers for the Plaintiffs

Court File Number: CV-18-604459-0001

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Crystal Crealt
Plaintiff(s)

AND

Maljars et al.
Defendant(s)

Case Management ☐ Yes ☐ No by Judge: _____

Counsel	Telephone No:	Facsimile No:

- ☐ Order ☐ Direction for Registrar (No formal order need be taken out)
☐ Above action transferred to the Commercial List at Toronto (No formal order need be taken out)

- ☐ Adjourned to: _____
☐ Time Table approved (as follows): _____

The plaintiff bring this motion seeking an order validating service of the Statement of Claim on the defendants R. Maljars and Pahl or alternatively permitting the Receiver to serve them by way of substituted service by mail and email.
I am prepared to grant the

15 Nov 18

Date

McE...

Judge's Signature

☒ Additional Pages Two

Superior Court of Justice
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FILE/DIRECTION/ORDER

Judges Endorsment Continued

order sought with respect to substituted service
I am satisfied that reasonable
steps have been taken to personally
serve these defendants.

These defendants have also refused,
at their examination, to provide
their addresses. They have also
failed to comply with the order of
Justice Conway dated Aug 20/18
to provide their current municipal
& email addresses.

Given email exchanges between
the Receiver, Pahl and these
defendants' solicitor C. Papourch
it is evident that Messrs Pahl
and F. Maljeans are aware of
the statement of claim.

Nonetheless, out of an abundance
of caution I am ordering
substituted service as requested.

Court File Number: _____

Superior Court of Justice
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FILE/DIRECTION/ORDER

Judges Endorsment Continued

by the plaintiff. A copy of this endorsement should also be provided to Messrs R Mahjars and Pahl so that they are plainly aware that service in this Pashan has been approved and that they are required to deliver a statement of Defence or not being retred in default.

The order shall go as per the draft filed & served. I have awarded \$5,000.00 in costs for costs. Pls sought \$10,000.00 which is high given the straightforward nature of the motion. The pls did however have to absorb costs to locate and attempt service on these defts who did not comply with the aforementioned Crt order.

MeLent