



SUPERIOR COURT OF JUSTICE
COUNSEL SLIP/ENDORSEMENT

COURT FILE BK-22-00208582-OT31
NO.: BK-22-00208581-OT-31

DATE: 13 Sep 2022

TITLE OF PROCEEDING **Bankruptcy of Aiden Pleterski and AP Private Equity Limited**
BEFORE MADAM JUSTICE KIMMEL

NAMES OF COUNSEL AND PARTY:

☒ Counsel for Aiden Pleterski- MICHEAL SIMAAN
☒ AIDEN PLETERSKI

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NAMES OF COUNSEL AND PARTY:

☒ Counsel for the Trustee-LEANNE WILLIAMS & PUYA FESHARAKI
☒ ROB STELZER court appointed Trustee
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NAMES OF COUNSEL AND OTHER PARTIES:

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ENDORSEMENT OF JUSTICE KIMMEL:

[1] After frustrated attempts to gain access to the cell phone and electronic records of the bankrupt Aiden Pleterski ("Pleterski"), Grant Thornton Limited in its capacity as the court appointed trustee in bankruptcy of AP Private Equity Limited ("AP") and Pleterski (the "Trustee"), took the extraordinary step of bringing motion under s. 168(2) of the *Bankruptcy and Insolvency Act*, R.S.C. 1085, c. B-3 (the "BIA") for, among other things, the arrest of Mr. Pleterski and the seizure of certain of the bankrupts' property that they had failed to provide to the Trustee, despite repeated requests. The failure of the bankrupts to meaningfully co-operate with the Trustee and comply with their statutory obligations under ss. 158 and 159 of the BIA is well documented.

[2] Pleterski, through his counsel appearing today, has agreed to deliver the requested cell phone for imaging and various other assets that the Trustee has requested and to sign the bankrupts' statements of affairs. The protocol for compliance that has been agreed to between counsel shall be adhered to. It goes without saying that time is of the essence and it is incumbent upon Pleterski to ensure that the bankrupts are in compliance with their outstanding and ongoing statutory obligations.

[3] The Trustee's motion returnable today seeking Pleterski's arrest and other criminal sanctions is adjourned *sine die*. It may be brought back on by the Trustee if there are further instances of non-compliance by the bankrupts that are considered to warrant relief of this nature on a minimum of 3-days' notice. The return of this motion must first be scheduled through the commercial list scheduling office with appropriate materials and steps having been taken, having regard to the nature of the relief sought.

[4] This endorsement shall have immediate effect without the necessity of the issuance and entry of a formal court order.

A handwritten signature in black ink, appearing to read "Kimmel J.", with a stylized, cursive script.

KIMMEL J.