

BRIDGING FINANCE INC.,
as agent for SPROTT BRIDGING INCOME FUND LP
Applicant

- and -

THOMAS CANNING (MAIDSTONE) LIMITED and
692194 ONTARIO LIMITED
Respondents

Court File No. CV-17-11773-00CL

Jan 11/18

10 Jan 18
order to go on consent
as per attached agreement
of counsel as per Mr Rappos
Jan 10/18 email to me, as
initialled.
McEnt

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

PROCEEDING COMMENCED AT TORONTO

MOTION RECORD OF THE RECEIVER
(re motion for advice and direction)
(returnable January 11, 2018)

CHAITONS LLP
5000 Yonge Street, 10th floor
Toronto, Ontario M2N 7E9

Sam Rappos (LSUC # 51399S)
Tel: (416) 218-1137
Fax: (416) 218-1187
Email: samr@chaitons.com

**Lawyers for Richter Advisory Group Inc.,
Court-appointed Receiver**



Sam P. Rappos

From: Sam P. Rappos
Sent: Wednesday, January 10, 2018 11:49 AM
To: 'ThomasJohn.McEwen@scj-csj.ca'
Cc: 'Toronto.Commercialist@jus.gov.on.ca'; David T. Ullmann; Alexandra Teodorescu; 'Sam Babe'
Subject: Bridging Finance Inc. v. Thomas Canning (Maidstone) Limited et al, Court File No. CV-17-11773-00CL
Importance: High
Categories: Queued DM, Recipient Copy

Good morning Your Honour,

We understand from Alsou that you are no longer available tomorrow to hear the motion with respect to the above-noted matter. Serendipitously, we were in the process of writing to you to inform you that it was no longer necessary for tomorrow's motion to proceed, as the parties had agreed to the terms of the following endorsement:

“Richter Advisory Group Inc., in its capacities as Court-appointed Monitor and Receiver, the Respondents, and William and Robert Thomas (collectively, the “Thomases”), have agreed that the Receiver’s motion for advice and directions with respect to whether the Monitor and/or the Receiver are required to answer the 114 questions posed by the Thomases and/or the Respondents and listed in the document received from counsel on September 22, 2017 and attached as Appendix “T” to the Fifth Report of the Receiver dated December 21, 2017, is hereby withdrawn without costs. The 114 questions have been withdrawn by the Thomases and/or the Respondents and are not required to be answered by the Monitor or the Receiver.

The Monitor and the Receiver have agreed to provide answers to the 11 questions posed by the Thomases and/or the Respondents in the letter from counsel dated December 29, 2017 that is attached as Exhibit “A” to the Affidavit of Ariyana Botejue sworn January 4, 2018, and to produce the documents requested therein, and any other documents that may be referred to in the answers to be provided by the Monitor/Receiver. The Monitor and the Receiver shall provide answers to the 11 questions in writing and produce the aforementioned documents by no later than January 19, 2018. The parties shall appear before me in chambers at 9:30 am on January 29, 2018 to finalize a timetable for the hearing of the motions to discharge the Monitor and the Receiver.”

We ask that the Court issue an endorsement to this effect, which will result no attendance being necessary before the Court tomorrow.

Thank you.

Respectfully yours,
Sam Rappos

Sam P. Rappos
Lawyer

Direct Tel: 416.218.1137

Direct Fax: 416.218.1837

samr@chaitons.com

5000 Yonge Street, 10th Floor, Toronto, Canada, M2N 7E9

www.chaitons.com



Note: This e-mail may be privileged and/or confidential, and the sender does not waive any related rights and obligations. Any distribution, use or copying of this e-mail or the information it contains by other than an intended recipient is unauthorized. If you received this e-mail in error, please advise me (by return e-mail or otherwise) immediately.

Ce courrier électronique est confidentiel et protégé. L'expéditeur ne renonce pas aux droits et obligations qui s'y rapportent. Toute diffusion, utilisation ou copie de ce message ou des renseignements qu'il contient par une personne autre que le (les) destinataire(s) désigné(s) est interdite. Si vous recevez ce courrier électronique par erreur, veuillez m'en aviser immédiatement, par retour de courrier électronique ou par un autre moyen.