

ONTARIO
 SUPERIOR COURT OF JUSTICE

COMMERCIAL LIST

THE HONOURABLE MR.)	TUESDAY, THE 17th
)	
JUSTICE HAINEY)	DAY OF MARCH, 2020

BETWEEN:

EMERALD CASTLE DEVELOPMENTS INC.

Applicant

- and -

FAAN MORTGAGE ADMINISTRATORS INC., in its capacity as the Court-Appointed Trustee
 of BUILDING & DEVELOPMENT MORTGAGES CANADA INC. formerly known as
 CENTRO MORTGAGE INC., and OLYMPIA TRUST COMPANY

Respondents

APPLICATION UNDER SECTION 37 OF THE *MORTGAGE BROKERAGES, LENDERS AND ADMINISTRATORS ACT*, 2006, S.O. 2006, C. 29; SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990 c. C. 43, and *Rule 14.05(3)(d) of the RULES OF CIVIL PROCEDURE*, R.S.O. 1990, Reg. 194, as amended

ORDER

THIS MOTION, made by FAAN Mortgage Administrators Inc., in its capacity as Court-appointed trustee (in such capacity, the “Trustee”), of all of the assets, undertakings and properties of Building & Development Mortgages Canada Inc. (“BDMC”) pursuant to section 37 of the *Mortgage Brokerages, Lenders and Administrators Act*, 2006, S.O. 2006, c. 29, as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended, was

heard this day at the court house, 330 University Avenue, 9th Floor, Toronto, Ontario, M5G 1R7.

ON READING the submissions of the lawyer(s) for the parties, including the consent of the Applicant and the parties who filed Notices of Appearance,

SEALING

1. THIS COURT ORDERS that any portion of the Court file containing information pertaining to the appraisal or valuation of the Property at issue in this proceeding shall be sealed and not form part of the public record, but rather shall be placed, separate and apart from all other contents of the Court file, in a sealed envelope attached to a notice that sets out the title of these proceedings and a statement that the contents are subject to a sealing order and shall only be opened upon further Order of the Court.

2. THIS COURT ORDERS that the Notice of Application, as issued, shall be sealed and not form part of the public record, but rather shall be placed, separate and apart from all other contents of the Court file, in a sealed envelope attached to a notice that sets out the title of these proceedings and a statement that the contents are subject to a sealing order and shall only be opened upon further Order of the Court.

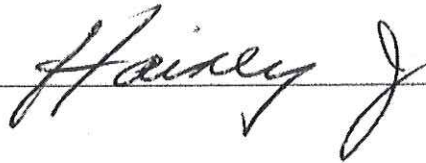
3. THIS COURT ORDERS THAT redacted versions of any sealed document, including the Notice of Application, shall be prepared and filed with the Court.

SERVICE

4. THIS COURT ORDERS that the E-Service Protocol of the Commercial List (the "**Protocol**") is approved and adopted by reference herein and, in these proceedings, the service

of documents made in accordance with the Protocol (which can be found on the Commercial List website at <http://www.ontariocourts.ca/scj/practice/practice-directions/toronto/eservice-commercial/>) shall be valid and effective service. Subject to Rule 17.05 of the *Rules of Civil Procedure* (the "**Rules**"), this Order shall constitute an order for substituted service pursuant to Rule 16.04 of the Rules. Subject to Rule 3.01(d) of the Rules and paragraph 21 of the Protocol, service of documents in accordance with the Protocol will be effective on transmission.

5. THIS COURT ORDERS that the Trustee shall maintain the E-Service List in accordance with the Protocol and that the Trustee shall post all non-confidential material that is filed with the Court on the Case Website established in Court File No. CV-18-596204-00CL.



A handwritten signature in black ink, appearing to read "Hainey J.", is written over a horizontal line.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

MAR 19 2020

PER / PAR:



A handwritten signature in blue ink, appearing to be a stylized "U" or similar mark, is written next to the "PER / PAR:" label.

EMERALD CASTLE DEVELOPMENTS INC. Applicant

and
FAAN MORTGAGE ADMINISTRATORS INC. IN ITS
CAPACITY AS THE COURT-APPOINTED TRUSTEE OF
BUILDING & DEVELOPMENT MORTGAGES CANADA INC.
FORMERLY KNOWN AS CENTRO MORTGAGE INC. ET AL.
AND OLYMPIA TRUST COMPANY
Respondents

Court File No: CV-20-00637238-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

PROCEEDING COMMENCED AT TORONTO

ORDER (SEALING & SERVICE)

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Lawyers for the Respondent,
FAAN Mortgage Administrators Inc., in its capacity as the Court-
Appointed Trustee of Building & Development Mortgages Canada
Inc. formerly known as Centro Mortgage Inc.