

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

**MOTION RECORD OF THE RECEIVER
(Motion returnable October 15, 2019)**

October 2, 2019

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331 Regent Street Inc.,

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Tab A

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

NOTICE OF MOTION

A. Farber & Partners Inc., as receiver (“**Farber**” or the “**Receiver**”), without security, of all the assets undertakings and properties of Sandy Hutchens, Tanya Hutchens, and certain entities referred to in Schedule “A” of the Order of Justice Penny in this proceeding dated March 18, 2019, will make a Motion to a Judge on Tuesday, the 15th day of October, 2019 at 10:00 a.m. at the Court House, 330 University Avenue, Toronto, Ontario.

PROPOSED METHOD OF HEARING: The Motion is to be heard *(choose appropriate option)*

[] in writing under subrule 37.12.1(1) because it is *(insert one of on consent, unopposed or made without notice);*

[] in writing as an opposed motion under subrule 37.12.1(4);

[X] orally.

THE MOTION IS FOR

- (a) An order abridging the time for service of this Motion, if necessary;
- (b) An order authorizing the 1479 Maple Transaction and the 1573 Houston Transaction (each defined below), vesting in the purchasers thereunder the right, title and interest of the subject properties and authorizing the Receiver to take all steps required to complete the Transactions;
- (c) An order sealing the Confidential Appendices to the Fifth Report of the Receiver unless and until the Receiver files a certificate confirming that the Transactions have closed;
- (d) An order authorizing the Receiver to distribute the following, more or less, from the proceeds of the Transactions:
 - (i) \$200,000 plus accrued interest to Hillmount Capital Inc. (“**Hillmount**”);
 - (ii) \$526,000, more or less, to Meridian Credit Union Limited (“**Meridian**”), in exchange for Meridian’s assignment of its mortgage held against title to the real property known as 33 Theodore Place, Thornhill, Ontario (“**33 Theodore**”); and

- (iii) \$40,782.00, more or less, subject to adjustments, to the Town of Innisfil, in payment of outstanding municipal property taxes accrued to the respective dates of closing of the Further Innisfil Sale Transactions;
- (e) An order approving the Fifth Report and the activities of the Receiver described therein;
- (f) An order approving the fees of the Receiver and its counsel as detailed in the Fifth Report of the Receiver; and
- (g) Such further and other relief as to this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE

Background

- (a) By order dated February 28, 2019, Justice Penny appointed Farber as interim receiver, without security, of all the assets undertakings and properties of Sandy Hutchens, Tanya Hutchens, and certain entities referred to in Schedule “A” of the order (collectively, the “**Debtors**”), including certain properties listed in Schedule “B” of the order (the “**Properties**”);
- (b) By order dated March 18, 2019 (the “**March Order**”), Justice Penny continued the Receiver’s appointment, expanded the list of Properties over which it extended, expanded the Receiver’s powers to include control and management of certain Properties that produce rental income, and granted the Receiver the power to take possession of the 1779 Cross property;

- (c) By order dated April 25, 2019 (the “**April Order**”), Justice Penny authorized and empowered the Receiver to sell five of the Properties (the “**Saleable Properties**”), and ordered a broader freezing of the Debtors’ assets subject to provisions for their living expenses and legal fees.
- (d) By order dated June 7, 2019, Justice Penny further expanded the list of Properties over which the Receiver’s appointment is extended, approved the sale of a Saleable Property, vesting in the respective purchaser, and authorized the distribution of the sale proceeds.
- (e) By judgment dated July 5, 2019, Justice Penny issued a judgment, on consent, recognizing the judgments of the United States District Court for the Eastern District of Pennsylvania, entered on October 11, 2018 and December 19, 2018 in Case Civ. No. 18-692 in favour of the Applicants and against the Respondents Sandy Hutchens (“**Sandy**”) and Tanya Hutchens (“**Tanya**”), in the amount of US\$26,774,736.09, owed jointly and severally, temporarily stayed enforcement, and continued the Receivership and the terms of the above orders (the “**Judgment**”).
- (f) On August 19, 2019, Justice Penny issued two Orders. The first (the “**First August Order**”) approved the sales of three Saleable Properties, to be vested in their respective purchasers on closing, and authorized a distribution of the sale proceeds to the municipality for outstanding property taxes and to the first mortgagee on each of the Saleable Properties sold, Meridian Credit Union Limited (“**Meridian**”). The

second Order (the “**Second August Order**”) authorized and empowered the Receiver to sell two additional Properties (the “**Further Saleable Properties**”).

- (g) On September 3, 2019, Justice Penny approved the fees and disbursements of the Receiver and its counsel, Naymark Law, up to June 30, 2019 and July 31, 2019, respectively.
- (h) Pursuant to these orders and judgment, the Receiver has undertaken three broad categories of work:
 - (i) Investigation of Debtor assets;
 - (ii) Assessment and management of those Properties that the March Order and the Judgment empowered and authorized the Receiver to control and manage; and
 - (iii) Overseeing sales processes for those Properties that the April Order empowered and authorized the Receiver to sell.

1573 Houston Transaction to be Approved

- (i) The Receiver has entered into an agreement of purchase and sale in respect of 1573 Houston Avenue, Innisfil, Ontario (“**1573 Houston**”), one of the Further Saleable Properties, with a purchaser who is arm’s length from the Receiver and the parties (the “**1573 Houston Transaction**”).
- (j) The Receiver recommends that this Court approve the 1573 Houston Transaction. The Receiver selected a listing brokerage with prior involvement with 1573 Houston; the realtor publicly marketed 1573 Houston for sale; the purchase price

is higher than the appraised power-of-sale and fair market values; and 1573 Houston is a partially-renovated, vacant property for which the Receiver is incurring carrying costs without offsetting rental income.

1479 Maple Transaction to be Approved

- (k) The Receiver has entered into an agreement of purchase and sale in respect of 1479 Maple Road, Innisfil, Ontario (“**1479 Maple**”), the other Further Saleable Property, with a purchaser who is arm’s length from the Receiver and the parties (the “**1479 Maple Transaction**”).
- (l) The Receiver recommends that this Court approve the 1479 Maple Transaction. The Receiver selected a listing brokerage with prior involvement with 1479 Maple; the realtor publicly marketed 1479 Maple for sale; the purchase price is higher than the appraised power-of-sale and the fair market values; and 1479 Maple is a vacant property for which the Receiver is incurring carrying costs without offsetting rental income.

Proposed Distributions from Sale Proceeds

- (m) The Receiver proposes to distribute, from the proceeds of the 1573 Houston and 1479 Maple Transactions:
 - (i) The balance owing on a loan from Hillmount Capital Inc., obtained by the Receiver to fund the receivership and secured by a Receiver’s Borrowing Charge (as defined in the March Order), in the amount of \$200,000 plus accrued interest;

- (ii) Amounts due to the Town of Innisfil in respect of outstanding property taxes levied against 1573 Houston and 1479 Maple, from the proceeds of sale of each, in the total amount of \$40,782, more or less, or alternatively to adjust the purchase price of those Properties, as may be agreed between the Receiver and respective purchasers; and
- (iii) The outstanding balance owed by the Debtors to Meridian Credit Union Limited (“**Meridian**”) secured by a mortgage against another Saleable Property, 33 Theodore Place in Vaughan, Ontario, in the amount of \$525,347.65 as of September 30, 2019, in exchange for an assignment of Meridian’s mortgage. This payment will be made in accordance with an agreement among the parties and Meridian to (a) authorize the Receiver to sell 1479 Maple and 1573 Houston; (b) apply proceeds of those sales to acquire Meridian’s mortgage on 33 Theodore; and (c) for the Receiver to forbear on the previously authorized sale of 33 Theodore pursuant to the stay of enforcement set out in the Judgment.

Sealing

- (n) The Receiver has filed certain Confidential Appendices with the Fifth Report. The information contained in these appendices concerning the agreed purchase price and appraised value of the Further Saleable Properties are commercially sensitive and it would be prejudicial to the receivership estate if the information contained therein is disclosed publicly at this time. The Receiver therefore requests that the Court grant an Order sealing the Confidential Appendices unless and until the Receiver files a certificate confirming that the Sale Transaction has closed;

Fees of the Receiver and Its Counsel

- (o) The Receiver and its counsel have reasonable incurred fees, disbursements and HST thereon in respect of this matter, for which they seek approval pursuant to the March Order, as continued by the Judgment.
- (p) Rules 1.04, 1.05, 2.01, 2.03, 3, 37 and 41.05 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194 and s. 249 of the BIA; and
- (q) Such further and other grounds as the lawyers may advise.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

- (a) The Fifth Report of the Receiver, dated October 2, 2019; and
- (b) Such further and other evidence as the lawyers may advise and this Honourable Court may permit.

October 2, 2019

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STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at TORONTO

NOTICE OF MOTION

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Tab B

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

FIFTH REPORT OF THE RECEIVER
October 2, 2019

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I. INTRODUCTION AND PURPOSE OF THE FIFTH REPORT

1. On February 28, 2019, Justice Penny appointed A. Farber & Partners Inc. as interim receiver (the “**Receiver**”), without security, of all the assets undertakings and properties of Sandy Hutchens, Tanya Hutchens, and certain entities referred to in Schedule “A” of the (collectively, the “**Debtors**”), including certain real property (the “**Properties**”). A copy of Justice Penny’s order dated February 28, 2019, is attached at **Appendix 1**.

2. As detailed below, Justice Penny continued and expanded the Receiver’s appointment through subsequent Orders and a Judgment, and has authorized the Receiver’s marketing and sale of certain of the Properties.

3. The Receiver files this fifth report (the “**Fifth Report**”) to advise the Court of its activities since its Fourth Report dated August 13, 2019 (the “**Fourth Report**”) and to support its request for orders:

- (a) Approving two sale transactions for Properties, the marketing and sale of which this Court previously authorized: the 1479 Maple Transaction and the 1573 Houston Transaction (each as defined below and, together, the “**Further Innisfil Sale Transactions**”), and vesting in the respective purchasers thereunder the right, title and interest of the subject properties and authorizing the Receiver to take all steps required to complete each sale transaction;
- (b) Sealing Confidential Appendices A, B, C, and D to this Fifth Report;
- (c) Authorizing the distribution of the following funds from the proceeds of the Further Innisfil Sale Transactions as follows:
 - (i) \$200,000, plus interest, to Hillmount Capital Inc. (“**Hillmount**”);

- (ii) \$526,000 to Meridian Credit Union Limited (“**Meridian**”), more or less, in exchange for Meridian’s assignment of its mortgage held against title to the real property known as 33 Theodore Place, Thornhill (Vaughan), Ontario (“**33 Theodore**”); and
- (iii) \$40,782.00, more or less, subject to adjustments, to the Town of Innisfil, in payment of outstanding municipal property taxes accrued to the respective dates of closing of the Further Innisfil Sale Transactions;
- (d) Approving this Fifth Report and the activities and conduct of the Receiver described herein; and
- (e) Approving the fees and disbursements of the Receiver from July 1, 2019 to August 31, 2019, and of the Receiver’s counsel, Naymark Law, from August 1, 2019 to August 31, 2019.

II. DISCLAIMER

4. In preparing this Fifth Report, the Receiver has relied upon the unaudited, draft and/or internal financial and other information provided by the Debtors, their advisors, and other third-party sources. The Receiver has not independently reviewed or verified such information. The Receiver has prepared this Fifth Report for the sole use of the Court and of the other stakeholders in these proceedings. The Receiver assumes no responsibility or liability for loss or damage occasioned by any party as a result of the circulation, publication, re-production or use of this Fifth Report. Any use which any party, other than the Court, makes of this Fifth Report or any reliance on or a decision made based upon it is the responsibility of such party.

5. Unless otherwise specifically noted, all dollar amounts referred to in this Fifth Report are in Canadian funds.

III. APPOINTMENT OF RECEIVER AND PRIOR ORDERS

6. On March 18, 2019, Justice Penny continued the Receiver's appointment, expanded the list of Properties over which it extended, and expanded the Receiver's powers to include control and management of certain of the Properties that produced rental income (the "**Managed Properties**"). A copy of the order of Justice Penny, dated March 18, 2019 (the "**March Order**") is attached at **Appendix 2**.

7. On April 25, 2019, Justice Penny authorized and empowered the Receiver to sell five of the Properties (the "**Saleable Properties**"), and ordered a broader freezing of the Debtors' assets subject to provisions for their living expenses and legal fees. A copy of Justice Penny's April 25, 2019 order (the "**April Order**") is attached at **Appendix 3**.

8. On June 7, 2019, Justice Penny further expanded the list of Properties over which the Receiver's appointment is extended, approved the sale of a Saleable Property, vesting in the respective purchaser, and authorized the distribution of the sale proceeds. A copy of Justice Penny's order, dated June 7, 2019 (the "**June Order**") is attached at **Appendix 4**.

9. On July 5, 2019, Justice Penny issued a judgment, on consent, recognizing the judgments of the United States District Court for the Eastern District of Pennsylvania, entered on October 11, 2018 and December 19, 2018 in Case Civ. No. 18-692 in favour of the Applicants and against the Respondents Sandy Hutchens ("**Sandy**") and Tanya Hutchens ("**Tanya**"), in the amount of US\$26,774,736.09, owed jointly and severally, temporarily stayed enforcement, and continued the

Receivership and the terms of the above orders. A copy of Justice Penny's Judgment, dated July 5, 2019 (the "**Judgment**"), attached at **Appendix 5**.

10. On August 19, 2019, Justice Penny issued two Orders. The first (the "**First August Order**") approved the sales of three Saleable Properties, to be vested in their respective purchasers on closing, and authorized a distribution of the sale proceeds to the municipality for outstanding property taxes and to the first mortgagee on each of the Saleable Properties sold, Meridian Credit Union Limited ("**Meridian**"). The second Order (the "**Second August Order**") authorized and empowered the Receiver to sell two additional Properties (the "**Further Saleable Properties**"). Copies of the First and Second August Orders, are attached at **Appendices 6 and 7**, respectively.

11. On September 3, 2019, Justice Penny approved the fees and disbursements of the Receiver and its counsel, Naymark Law, up to June 30, 2019 and July 31, 2019, respectively. A copy of Justice Penny's Order, dated September 3, 2019 (the "**September Order**"), is attached at **Appendix 8**.

IV. RECEIVER'S ACTIVITIES

12. The Receiver's activities directly relating to the preservation, protection and realization of the Properties since the Fourth Report include:

- (a) Managing the remaining Managed Properties, including:
 - (i) overseeing necessary clean-up;
 - (ii) undertaking and arranging for necessary repairs, as needed;
 - (iii) maintaining the premises;
 - (iv) collecting rents and attending to general landlord-tenant matters;

- (v) liaising with public utilities and other service providers to ensure continued services;
 - (vi) ensuring and maintaining adequate insurance coverage on all Properties; and
 - (vii) addressing a claim by a tenant of one of the Managed Properties for damages relating to an alleged trip and fall accident which occurred on August 5, 2019;
- (b) Attending to municipal by-law concerns over a boathouse structure that collapsed during a storm at the real property known as 1479 Maple Road, Innisfil, Ontario (“**1479 Maple**”);
- (c) Attending to improvements at 1479 Maple to address safety and by-law concerns, including:
 - (i) the demolition of the above-noted boathouse; and
 - (ii) the trimming and removal of certain trees by an arborist.
- (d) Responding to ongoing queries from secured creditors and parties claiming to have interests in the Properties;
- (e) Working with Sandy’s counsel and Barbara C. Hughes & Associates Ltd., the appraiser selected by Sandy’s counsel, to obtain new appraisals of the Saleable Properties known as 1790 Cross Street, Innisfil (“**1790 Cross**”), 1889 Simcoe Boulevard, Innisfil (“**1889 Simcoe**”) and 1779 Cross Street, Innisfil (“**1779 Cross**”, together with 1790 Cross and 1889 Simcoe, the “**Innisfil Properties**”), pursuant to the First August Order;

- (f) Working with the respective purchasers of 1790 Cross and 1889 Simcoe to close the sale transactions of same;
- (g) Working with the purchases of 1779 Cross to formalize an agreement to postpone the closing date of same to October 31, 2019;
- (h) Liaising with Sandy's legal counsel in regard of Sandy's obligation to vacate the premises of 1779 Cross on, or prior to, September 30, 2019;
- (i) Working with Meridian to complete distributions of sale proceeds from 1790 Cross and 1889 Simcoe, on which Meridian holds a first mortgage;
- (j) Distributing sale proceeds from 1790 Cross and 1889 Simcoe to Hillmount pursuant to the First August Order;
- (k) Selecting a real estate brokerage to handle the sale of the two Further Saleable Properties in Innisfil, Ontario;
- (l) Working with Lifestyle Realty Associates Inc., Brokerage ("**Lifestyle Realty**"), to market and sell the Further Saleable Properties in Innisfil, Ontario, namely:
 - (i) 1479 Maple; and
 - (ii) 1573 Houston Avenue ("**1573 Houston**");
- (m) Negotiating terms of sale for the Further Saleable Properties;
- (n) Maintaining and updating the Receiver's case website, including the posting of Court reports, motion materials and updated service list;
- (o) Working with interested parties to provide monthly living expenses to Sandy and Tanya based on an agreed upon budget; and
- (p) Conducting ongoing investigations and monitoring of cash flow of the Respondents.

V. SALES TO BE APPROVED

13. The Second August Order authorized and empowered the Receiver to market and sell the Further Saleable Properties, *nunc pro tunc* to August 1, 2019. The Receiver has since entered into agreements of purchase and sale for each of the Further Saleable Properties, conditional on Court approval. The Receiver recommends that this Court approve each of those sales.

14. The process the Receiver followed leading to these two purchase and sale agreements and the basis for the Receiver's recommendation that the Court approve the corresponding sales are set out below.

A. The 1573 Houston Transaction

15. 1573 Houston is a waterfront, residential, cottage-style property located in Innisfil, Ontario. It is registered under Tanya's name and has been unoccupied since prior to the Receiver's taking possession of the Property. Tanya advised the Receiver that she began but did not complete a renovation of 1573 Houston, which is consistent with its physical state. The property is not presently habitable. The municipality of Innisfil has advised the Receiver that property taxes have not been paid in several years.

16. Tanya listed 1573 Houston with the brokerage Lifestyle Realty prior to the Receiver's appointment, at a list price of \$1.2 million. Between January 27, 2019 and May 19, 2019, Lifestyle Realty showed 1573 Houston to eight unique prospective purchasers, none of whom presented an offer.

17. The Receiver engaged York Simcoe Appraisal Corporation ("YSAC"), an appraiser with expertise in the Innisfil region, to appraise 1573 Houston. YSAC appraised the property as of June 14, 2019, on both a 'power of sale' basis and a 'fair market value' basis (the "**1573 Houston**

Appraisals”). The appraised values were materially below the prior listing price. Copies of the 1573 Houston Appraisals are attached at **Confidential Appendix “A”**.

18. The Receiver engaged in discussions with Heather Jones of Lifestyle Realty, the agent who Tanya had previously retained to sell 1573 Houston, and ultimately signed a new listing agreement with Lifestyle Realty on August 6, 2019. Lifestyle Realty reduced the list price from the previous listing to reflect the appraisal valuations obtained by the Receiver.

19. From August 6, 2019 to August 19, 2019, Lifestyle Realty engaged in a sale process that included a social media campaign and advertisement of the listing on several real estate websites, including MLS standard listing on www.realtor.ca., the Toronto Real Estate Board website and the Barrie Real Estate Board website. From August 7, 2019 to August 14, 2019, Lifestyle Realty showed 1573 Houston to eight prospective purchasers, not including the current purchaser.

20. The Receiver received three offers to purchase 1573 Houston. From those, the Receiver considered one to be the best offer because it provided the highest purchase price and the fewest conditions in favour of the offeror. The Receiver entered into further negotiations with the offeror.

21. On August 19, 2019, after several days of negotiations, the Receiver entered into an Agreement of Purchase and Sale in respect of 1573 Houston (the **“1573 Houston Transaction”**), conditional on, among other things, Court approval. As of the date of this Fifth Report, no other conditions remain. Copies of the Agreement of Purchase and Sale and corresponding waivers are attached at **Confidential Appendix “B”**. Additional terms include:

- (a) A purchase price between 6% and 9% higher than the appraised fair market value, and between 22% and 32% higher than the appraised power of sale value.
- (b) No substantive conditions in favour of the purchaser;

- (c) A closing date seven business days (excluding Fridays and Jewish holidays) after Court approval; and
 - (d) A deposit of \$100,000.00, which Lifestyle Realty currently holds in trust. The deposit is payable to the Receiver as liquidated damages should the transaction not close due to default or failure to perform on the part of the purchaser.
22. The Receiver recommends that this Court approve the 1573 Houston Transaction because:
- (a) Lifestyle Realty marketed 1573 Houston for sale to the public for approximately seven months and showed it to sixteen prospective purchasers, with eight of those showings occurring since the Receiver took over the sale process on August 7, 2019;
 - (b) The purchase price is higher than the power of sale value and the fair market value;
 - (c) The purchase price is sufficient to discharge the secured liability of the Debtors for outstanding property tax arrears due to the municipality;
 - (d) The purchaser is arm's length from the parties;
 - (e) The purchaser has acknowledged that it is purchasing 1573 Houston on an 'as is' basis;
 - (f) The optimal season for selling waterfront properties in Innisfil, such as 1573 Houston, is spring and summer, a factor that reduces the probability that the Receiver could obtain a higher or even comparable sale price in the near term;
 - (g) 1573 Houston is a vacant property with no rental income to offset ongoing carrying costs, including for property management, utilities, repairs and the accrual of property taxes; and
 - (h) Lifestyle Realty recommended the 1573 Houston Transaction.

B. The 1479 Maple Transaction

23. 1479 Maple is a waterfront, residential, cottage-style property located in Innisfil, Ontario. 1479 Maple is registered under Tanya's name and has been unoccupied since prior to the Receiver's taking possession of the Property. Since the Receiver's involvement with 1479 Maple, the Receiver has had to undertake two significant improvements to the property, as outlined earlier in this Fifth Report, to address safety and by-law concerns, costing the Receiver over \$14,000 in extraordinary out-of-pocket disbursements.

24. Tanya listed 1479 Maple with the brokerage Lifestyle Realty prior to the Receiver's appointment, at a list price of \$999,000. Between January 23, 2019 and July 10, 2019, Lifestyle Realty showed 1479 Maple to nine unique prospective purchasers. It received one offer, dated March 11, 2019, which was subject to various conditions including a home inspection. Neither Tanya nor the Receiver had authority of the Court to accept the offer at the time.

25. The Receiver engaged YSAC to appraise 1479 Maple. YSAC appraised the property as of June 14, 2019, on both a 'power of sale' basis and a 'fair market value' basis (the "**1479 Maple Appraisals**"). Copies of the 1479 Maple Appraisals are attached at **Confidential Appendix "C"**.

26. The Receiver engaged in discussions with Heather Jones of Lifestyle Realty, the agent who Tanya had previously retained to sell 1479 Maple, and ultimately signed a new listing agreement with Lifestyle Realty on August 6, 2019. Lifestyle Realty reduced the list price from the previous listing to reflect the appraisal valuations obtained by the Receiver.

27. From August 6, 2019 to September 13, 2019, Lifestyle Realty engaged in a sale process that included a social media campaign and the advertisement of the listing on several real estate websites, including MLS standard listing on www.realtor.ca, the Toronto Real Estate Board

website and the Barrie Real Estate Board website. From August 6, 2019 to September 7, 2019, Lifestyle Realty showed 1479 Maple to 23 prospective purchasers, including the current purchaser.

28. The Receiver received one offer on August 14, 2019, from the same prospective purchaser who had offered to purchase 1479 Maple on March 11, 2019 but for a lower amount. The Receiver delivered a counteroffer on August 16, 2019 in the amount of the offeror's original offer, which the offeror declined. The offeror indicated that having viewed the property further, he was unwilling to pay his originally offered purchase price due to its condition. However, the offeror submitted a second offer to purchase on September 4, 2019 with a purchase price between those in its first and second offers. The Receiver signed it back with minimal changes, which the purchaser accepted, and on September 13, 2019, the Receiver entered into an Agreement of Purchase and Sale in (the "**1479 Maple Transaction**"), conditional on Court approval. A copy of the Agreement of Purchase and Sale is attached at **Confidential Appendix "D"**. Additional terms include:

- (a) A purchase price between 3% and 5% higher than the appraised fair market value, and between 24% and 31% higher than the appraised power of sale value; and
- (b) A home inspection condition in favour of the purchaser, which the purchaser waived on September 20, 2019. No other conditions remain aside from Court approval;
- (c) A flexible closing date of the later of ten business days after Court approval and November 15, 2019, provided that the closing shall take place no later than December 15, 2019; and
- (d) A deposit of \$40,000.00, which Lifestyle Realty currently holds in trust. The deposit is payable to the Receiver as liquidated damages should the transaction not

close due to default or failure to perform on the part of the purchaser. If the 1479 Maple Transaction does not close by December 15, 2019, the deposit will be returned in full to the purchaser without interest or deduction.

29. The Receiver recommends that this Court approve the 1479 Maple Transaction because:
- (a) Lifestyle Realty marketed 1479 Maple for sale to the public for seven months and showed it to thirty-two (32) prospective purchasers, with twenty-three (23) of those showings occurring since the Receiver took over the sale process on August 6, 2019;
 - (b) Despite significant interest, the Receiver received only one offer and Lifestyle Realty has advised that no further offers are expected;
 - (c) The purchase price is higher than the power of sale value and the fair market value;
 - (d) Under the provisions of the listing agreement with Lifestyle Realty, the purchaser of 1479 Maple is an “excluded party” and, as such, the commission payable on the closing of the 1479 Maple Transaction will be substantially lower than the full 4.5% commission, resulting in a higher net result;
 - (e) The purchase price is sufficient to discharge the secured liability of the Debtors for outstanding property taxes due to the municipality;
 - (f) The purchaser is arm’s length from the parties;
 - (g) The purchaser has acknowledged that it is purchasing 1479 Maple on an ‘as is’ basis;
 - (h) The optimal season for selling waterfront properties in Innisfil, such as 1479 Maple, is spring and summer, a factor that reduces the probability that the Receiver could obtain a higher or even comparable sale price in the near term;

- (i) 1479 Maple is a vacant property with no rental income to offset ongoing holding costs, including for property management, utilities, repairs and the accrual of property taxes; and
- (j) Lifestyle Realty recommended the 1479 Maple Transaction.

VI. DEBTS SECURED BY THE FURTHER SALEABLE PROPERTIES

30. The Further Saleable Properties are subject to the following charges against title:

- (a) All Properties are subject to the Receiver's Charge (as defined in the March order) securing the fees and disbursements of the Receiver and its counsel;
- (b) All Properties are subject to a Receiver's Borrowing Charge (as defined in the March Order) securing amounts that the Receiver has borrowed pursuant to the March Order from Hillmount;
- (c) There are no mortgages registered on title to 1573 Houston;
- (d) There is a first mortgage registered on title to 1479 Maple in favour of Dina Brik, Tanya's mother; and
- (e) Both of the Further Saleable Properties have outstanding property taxes due to the Town of Innisfil.

A. Hillmount

31. The March Order granted the Receiver authority to borrow up to \$750,000.00 to fund the receivership, secured by a Receiver's Borrowing Charge (as defined in the March Order) ranking as a second charge on the Properties in priority to all other interests, aside from the Receiver's Charge. On May 15, 2019, pursuant to the March Order, the Receiver borrowed \$400,000.00 from Hillmount (of a maximum of \$750,000), on terms that include interest compounding monthly at

the greater of 9.75% per annum or the posted Royal Bank of Canada Prime Rate + 5.3% (the “**Hillmount Receiver Loan**”). Copies of the Receiver’s certificate and the term sheet in respect of the Hillmount Receiver Loan (the “**Receiver’s Certificate Commitment**”) are attached at **Appendix 9**.

32. The Receiver’s Certificate Commitment also provides that:

- (a) The Receiver shall pay the Hillmount Receiver Loan in proportionate paydowns upon the sale of the Properties;
- (b) The Receiver shall not distribute funds to any creditors without the consent of Hillmount, save for the Receiver’s Charge as contemplated by the March Order;
- (c) The Receiver must obtain Hillmount’s prior written consent before seeking Court approval for distribution to secured creditors with charges ranking subordinate to the Receiver’s Borrowing Charge in favour of Hillmount.

33. As indicated at paragraphs 74 of the Fourth Report, Hillmount consented to the Receiver paying \$200,000 of the Hillmount Receiver Loan from the proceeds of prior Property sales, and using the proceeds of those sales to pay other debts secured by those Properties. The Receiver has committed to pay the balance of the Hillmount Receiver Loan - \$200,000 plus accrued interest – using the proceeds of the Further Innisfil Sale Transactions. By the terms of the Receiver’s Certificate Commitment, the Receiver would require Hillmount’s consent and approval prior to seeking Court approval of a distribution, or effecting such distribution, to creditors ranking subordinate to the Receiver’s Borrowing Charge.

B. Property Tax

34. The annual property tax levies issued by the Town of Innisfil for 2019 on each of the Further Saleable Properties are:

(a) On 1479 Maple: \$5,855.44; and

(b) On 1573 Houston: \$8,752.03.

35. The Receiver's information is that no installment payments have been made to the Town of Innisfil in respect of property taxes, and that property taxes on 1573 Houston have not been paid for several years, with the total balance due to the Town of Innisfil being approximately \$35,000.00.

36. On closing of the Further Innisfil Sale Transactions, the Receiver will authorize the release of payment to the Town of Innisfil for the amount of property taxes outstanding, pro-rated to the closing date; or, alternatively, adjust the purchase price, as may be agreed between the Receiver and respective purchasers, to account for the pro-rated amount due by the Debtors.

C. Dina Brik

37. Dina Brik is Tanya's mother and therefore a non-arm's length party to the Debtors. Ms. Brik has a registered charge on 1479 Maple, registered on February 10, 2012, in the amount of \$200,000.00. Accordingly, Ms. Brik's security, if valid and enforceable, ranks only subsequent to the priority of the Receiver's Charge and the Receiver's Borrowings Charge.

38. To date, the Receiver has not been provided with any evidence or documentation related to the security or indebtedness, if any, in favour of Ms. Brik. The Receiver does not recommend any distribution of funds from the proceeds of the 1479 Maple Transaction to Ms. Brik at this time. The validity and priority of any claim by Ms. Brik can be determined in future, and the vesting

order sought will contain standard language to the effect that claims against 1479 Maple apply as against the proceeds of sale thereof.

VII. PARTIES' AGREEMENT RESPECTING PAYMENT TO MERIDIAN

39. At paragraphs 54 to 60 of the Fourth Report, the Receiver described the difficulty it had encountered selling one of the Saleable Properties, municipally known as 33 Theodore Place, Vaughan, Ontario ("**33 Theodore**"), and the related agreement of the parties to (a) authorize the Receiver to sell 1479 Maple and 1573 Houston; (b) apply proceeds of those sales to acquire Meridian's mortgage on 33 Theodore; and (c) for the Receiver to forbear on the previously authorized sale of 33 Theodore pursuant to the stay of enforcement set out in the Judgment. A copy of the Fourth Report (without appendices) is attached as **Appendix 10**.

40. As noted in the Fourth Report, Meridian is arm's length from the Debtors; Meridian has documented its security and mortgage loans (the "**Meridian Security**") to the Receiver's satisfaction; and the Receiver has obtained a security opinion, which concluded that the Meridian Security, including the mortgage registered against title to 33 Theodore, is valid and enforceable to the extent of all monies advanced thereunder. A copy of the security opinion relating to the Meridian Security, dated May 8, 2019, is attached at **Appendix 11**.

41. As of September 30, 2019, the outstanding amount owing to Meridian in respect of its mortgage against title to 33 Theodore was \$525,347.65, inclusive of legal fees. This figure is based on payout balances Meridian provided to the Receiver on September 26, 2019. The Receiver expects to receive an updated payout statement from Meridian with final figures including accruals since September 30, 2019 prior to paying out the balance of this mortgage. In accordance with the parties' agreement, the Receiver intends to enter into an agreement with Meridian to acquire an

assumption of its mortgage against 33 Theodore in exchange for payment of this outstanding balance. The Receiver will consider that mortgage to be a priority claim of the 'estates' of 1479 Maple and 1573 Houston to any future proceeds of sale of 33 Theodore, in accordance with the ring-fencing provisions of paragraph 3 of the March Order, as continued by the Judgment.

VIII. PROPOSED DISTRIBUTIONS

42. The Receiver proposes to distribute from the proceeds of the Further Innisfil Sale Transactions:

- (a) \$200,000, plus interest and fees, to Hillmount to discharge the Hillmount Receiver Loan; then
- (b) Amounts due to the Town of Innisfil in respect of outstanding property taxes levied against the respective Further Saleable Properties, from the proceeds of sale of each; then
- (c) \$526,000 to Meridian, more or less, in exchange for an assignment of its mortgage against title to 33 Theodore.

IX. SEALING ORDER

43. Confidential Appendices A, B, C and D contain information disclosing the agreed sale prices and appraised values, respectively, of the Further Saleable Properties. The Receiver expects that disclosure of this information prior to the closing of the Further Innisfil Sale Transactions may prejudice its negotiating position in the sale process for the Further Saleable Properties that would be required if the Further Innisfil Sale Transactions are not approved or do not close for any reason.

X. FEES OF THE RECEIVER AND ITS COUNSEL

44. The Receiver seeks approval of its fees and disbursements and those of its counsel, pursuant to the March Order. This Court approved the professional fees and disbursements of the Receiver up to June 30, 2019 pursuant to the September Order. Attached at **Appendix 12** is an affidavit of the Receiver setting out its fees and disbursements from July 1, 2019 to August 31, 2019 and exhibiting the Receiver's detailed statements of account for this period. The total quantum of the amounts incurred and for which approval is sought is fees of \$186,860, together with HST on fees of \$24,291.80 and disbursements (including HST) of \$3,145.66, for a total of \$214,297.46.

45. This Court approved the professional fees and disbursements of the Receiver's legal counsel, Naymark Law, up to July 31, 2019 pursuant to the September Order. Attached at **Appendix 13** is an affidavit of counsel to the Receiver in this proceeding, Naymark Law, setting out its fees and disbursements from August 1, 2019 to August 31, 2019 and exhibiting counsel's detailed statements of account for this period. The total fees incurred and for which approval is sought \$20,339, plus disbursements of \$489.00 and HST of \$2,666.04, for a total of \$23,494.04.

XI. RECOMMENDED RELIEF

46. Based on the foregoing, the Receiver respectfully recommends that this Court provide the relief noted in paragraph 3 of this Fifth Report.

All of which is respectfully submitted this 2nd day of October, 2019.

**A. FARBER & PARTNERS INC., IN ITS CAPACITY AS COURT APPOINTED
RECEIVER OF HUTCHENS *ET AL.* AND NOT IN ITS PERSONAL OR CORPORATE
CAPACITY.**

A. Farber & Partners Inc.

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

FIFTH REPORT OF THE RECEIVER

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Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 1

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

)

THURSDAY, THE

JUSTICE PENNY

)

28TH DAY OF FEBRUARY, 2019

)



GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

**ORDER
(Appointing an Interim Receiver)**

THIS MOTION made by the Applicants on notice for an Order pursuant to section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended (the “CJA”) appointing A. Farber & Partners Inc. as receiver without security, of all of the assets, undertakings and properties of the Respondents and the entities referred to at Schedule “A” attached hereto (collectively, with the Respondents, the “Debtors”) acquired for, or used in relation to a business carried on by the Debtors, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Applicants, the Supplementary Motion Record of the Applicants and the Factum of the Applicants, the consent of A. Farber & Partners Inc. to

act as the receiver, the letter from counsel for the plaintiffs in Court File No. 2651/17 supporting the relief sought herein, and on hearing the submissions of counsel for the Applicants and the Debtors:

APPOINTMENT

1. THIS COURT ORDERS that, from the date of this Order until March 18, 2019 (the "Adjournment Period"), A. Farber & Partners Inc. is hereby appointed Interim Receiver, without security, of all of the assets, undertakings and properties, including the real property listed in Schedule "B" hereto (the "Schedule "B" Properties"), of the Debtors acquired for, or used in relation to a business carried on by the Debtors, including all proceeds thereof (the "Property").

INTERIM RECEIVER'S POWERS

2. THIS COURT ORDERS that the Interim Receiver is hereby empowered and authorized, but not obligated, to act at once in respect of the Property and, without in any way limiting the generality of the foregoing, the Interim Receiver is hereby expressly empowered and authorized to do any of the following where the Interim Receiver considers it necessary or desirable:

- (a) to investigate and monitor, but not to exercise control over, the Debtors' affairs and Property;
- (b) to review and have access to any and all financial information pertaining to the Debtors and the Property, including bank statements, financial records and accounts;
- (c) to demand access to additional documents as it sees fit;
- (d) to engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time and on whatever basis, including on a temporary basis, to assist with the exercise of the Interim Receiver's powers and duties, including without limitation those conferred by this Order;
- (e) to report to, meet with and discuss with such affected Persons (as defined below) as the Interim Receiver deems appropriate on all matters relating to the Property

and the receivership, and to share information, subject to such terms as to confidentiality as the Interim Receiver deems advisable;

- (f) to conduct examinations under oath of any Person concerning the management of known assets of the Debtors and the existence of any other assets; and
- (g) to take any steps reasonably incidental to the exercise of these powers or the performance of any statutory obligations.

and in each case where the Interim Receiver takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other Persons (as defined below) and without interference from any other Person.

DUTY TO PROVIDE ACCESS AND CO-OPERATION TO THE INTERIM RECEIVER

3. THIS COURT ORDERS that (i) the Debtors, (ii) all of their current and former directors, officers, employees, agents, accountants, legal counsel, shareholders, banks, financial institutions, brokerages, and all officers and employees of such banks, financial institutions and brokerages, (iii) all other individuals, firms, corporations, governmental bodies or agencies, or other entities having notice of this Order, and (iv) anyone acting on the instructions of anyone listed in this paragraph (all of the foregoing, collectively, being "Persons" and each being a "Person", save and except for the Applicants) shall forthwith advise the Interim Receiver of the existence of any Property in such Person's possession or control.

4. THIS COURT ORDERS that all Persons shall forthwith advise the Interim Receiver of the existence of any books, documents, securities, contracts, orders, corporate and accounting records, and any other papers, records and information of any kind related to the business or affairs of the Debtors, and any computer programs, computer tapes, computer disks, or other data storage media containing any such information (the foregoing, collectively, the "Records") in that Person's possession or control, and shall provide to the Interim Receiver or permit the Interim Receiver to make, retain and take away copies thereof and grant to the Interim Receiver unfettered access to and use of accounting, computer, software and physical facilities relating thereto, provided however that nothing in this paragraph 4 or in paragraph 5 of this Order shall require the delivery of Records, or the granting of access to Records, which may not be disclosed

or provided to the Interim Receiver due to the privilege attaching to solicitor-client communication or due to statutory provisions prohibiting such disclosure.

5. THIS COURT ORDERS that if any Records are stored or otherwise contained on a computer or other electronic system of information storage, whether by independent service provider or otherwise, all Persons in possession or control of such Records shall forthwith give unfettered access to the Interim Receiver for the purpose of allowing the Interim Receiver to recover and fully copy all of the information contained therein whether by way of printing the information onto paper or making copies of computer disks or such other manner of retrieving and copying the information as the Interim Receiver in its discretion deems expedient, and shall not alter, erase or destroy any Records without the prior written consent of the Interim Receiver. Further, for the purposes of this paragraph, all Persons shall provide the Interim Receiver with all such assistance in gaining immediate access to the information in the Records as the Interim Receiver may in its discretion require including providing the Interim Receiver with instructions on the use of any computer or other system and providing the Interim Receiver with any and all access codes, account names and account numbers that may be required to gain access to the information.

6. THIS COURT ORDERS that the Interim Receiver shall have access to those premises wherever the Records are kept, retained, stored or used, including, but not limited to, the Schedule "B" Properties, upon reasonable notice to any of the Debtors having control of such premises, or their legal counsel, and the offices or residential premises of all Persons (as defined in sub-paragraph 3 above) relating to the business and affairs of the Debtors, and the Debtors and all Persons shall take all reasonable steps to ensure that the Interim Receiver will have such access.

NO PROCEEDINGS AGAINST THE INTERIM RECEIVER

7. THIS COURT ORDERS that no proceeding or enforcement process in any court or tribunal (each, a "Proceeding"), shall be commenced or continued against the Interim Receiver except with the written consent of the Interim Receiver or with leave of this Court.

NO PROCEEDINGS AGAINST THE DEBTORS OR THE PROPERTY

8. THIS COURT ORDERS that, with the exception of the proceeding underway in Court File No. 2651/17 in the Superior Court of Justice at London, Ontario, no Proceeding against or in respect of the Debtors or the Property shall be commenced or continued except with the written consent of the Interim Receiver or with leave of this Court and any and all Proceedings currently under way against or in respect of the Debtors or the Property are hereby stayed and suspended pending further Order of this Court.

NO EXERCISE OF RIGHTS OR REMEDIES

9. THIS COURT ORDERS that all rights and remedies against the Debtors, the Interim Receiver, or affecting the Property, except the within proceeding and the proceeding underway in Court File No. 2651/17 in the Superior Court of Justice at London, Ontario, are hereby stayed and suspended except with the written consent of the Interim Receiver or leave of this Court, provided however that this stay and suspension does not apply in respect of any "eligible financial contract" as defined in the BIA, and further provided that nothing in this paragraph shall (i) empower the Interim Receiver or the Debtors to carry on any business which the Debtors are not lawfully entitled to carry on, (ii) exempt the Interim Receiver or the Debtors from compliance with statutory or regulatory provisions relating to health, safety or the environment, (iii) prevent the filing of any registration to preserve or perfect a security interest, or (iv) prevent the registration of a claim for lien.

NO INTERFERENCE WITH THE INTERIM RECEIVER

10. THIS COURT ORDERS that no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, licence or permit in favour of or held by the Debtors, without written consent of the Interim Receiver or leave of this Court.

CONTINUATION OF SERVICES

11. THIS COURT ORDERS that all Persons having oral or written agreements with the Debtors or statutory or regulatory mandates for the supply of goods and/or services, including without limitation, all computer software, communication and other data services, centralized

banking services, payroll services, insurance, transportation services, utility or other services to the Debtors are hereby restrained until further Order of this Court from discontinuing, altering, interfering with or terminating the supply of such goods or services as may be required by the Interim Receiver, and that the Interim Receiver shall be entitled to the continued use of the Debtors' current telephone numbers, facsimile numbers, internet addresses and domain names, provided in each case that the normal prices or charges for all such goods or services received after the date of this Order are paid by the Interim Receiver in accordance with normal payment practices of the Debtors or such other practices as may be agreed upon by the supplier or service provider and the Interim Receiver, or as may be ordered by this Court.

LIMITATION ON THE INTERIM RECEIVER'S LIABILITY

12. THIS COURT ORDERS that the Interim Receiver shall incur no liability or obligation as a result of its appointment or the carrying out the provisions of this Order, save and except for any gross negligence or wilful misconduct on its part, or in respect of its obligations under sections 81.4(5) or 81.6(3) of the BIA or under the *Wage Earner Protection Program Act*. Nothing in this Order shall derogate from the protections afforded the Interim Receiver by section 14.06 of the BIA or by any other applicable legislation.

INTERIM RECEIVER'S ACCOUNTS

13. THIS COURT ORDERS that the Interim Receiver and counsel to the Interim Receiver shall be paid their reasonable fees and disbursements, in each case at their standard rates and charges unless otherwise ordered by the Court on the passing of accounts, and that the Interim Receiver and counsel to the Interim Receiver shall be entitled to and are hereby granted a charge (the "Interim Receiver's Charge") on the Property, as security for such fees and disbursements, both before and after the making of this Order in respect of these proceedings, and that the Interim Receiver's Charge shall form a first charge on the Property in priority to all security interests, trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any Person, but subject to sections 14.06(7), 81.4(4), and 81.6(2) of the BIA. The amount of the Interim Receiver's Charge shall not exceed \$150,000.

14. THIS COURT ORDERS that the Interim Receiver and its legal counsel shall pass its accounts from time to time, and for this purpose the accounts of the Interim Receiver and its

legal counsel are hereby referred to a judge of the Commercial List of the Ontario Superior Court of Justice.

SERVICE AND NOTICE

15. THIS COURT ORDERS that the E-Service Protocol of the Commercial List (the "Protocol") is approved and adopted by reference herein and, in this proceeding, 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/e-service-protocol/>) shall be valid and effective service. Subject to Rule 17.05 this Order shall constitute an order for substituted service pursuant to Rule 16.04 of the Rules of Civil Procedure. Subject to Rule 3.01(d) of the Rules of Civil Procedure and paragraph 21 of the Protocol, service of documents in accordance with the Protocol will be effective on transmission. This Court further orders that a Case Website shall be established in accordance with the Protocol with the following URL '<<https://farbergroup.com/engagements/hutchens/>>'.

16. THIS COURT ORDERS that if the service or distribution of documents in accordance with the Protocol is not practicable, the Interim Receiver is at liberty to serve or distribute this Order, any other materials and orders in these proceedings, any notices or other correspondence, by forwarding true copies thereof by prepaid ordinary mail, courier, personal delivery or facsimile transmission to the Debtors' creditors or other interested parties at their respective addresses as last shown on the records of the Debtors and that any such service or distribution by courier, personal delivery or facsimile transmission shall be deemed to be received on the next business day following the date of forwarding thereof, or if sent by ordinary mail, on the third business day after mailing.

GENERAL

17. THIS COURT ORDERS that the Interim Receiver may from time to time apply to this Court for advice and directions in the discharge of its powers and duties hereunder.

18. THIS COURT ORDERS that nothing in this Order shall prevent the Interim Receiver from acting as a trustee in bankruptcy of the Debtors.

19. THIS COURT ORDERS that the appointment of the Interim Receiver shall expire on March 18, 2019, or such other date as ordered by the Court, unless continued by an Order of this Court.

20. 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 Interim 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 Interim Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Interim Receiver and its agents in carrying out the terms of this Order.

21. THIS COURT ORDERS that the Interim Receiver be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Interim Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

22. THIS COURT ORDERS that any interested party may apply to this Court to vary or amend this Order on not less than seven (7) days' notice to the Interim Receiver and to any other party likely to be affected by the order sought or upon such other notice, if any, as this Court may order.

FREEZING OF ASSETS

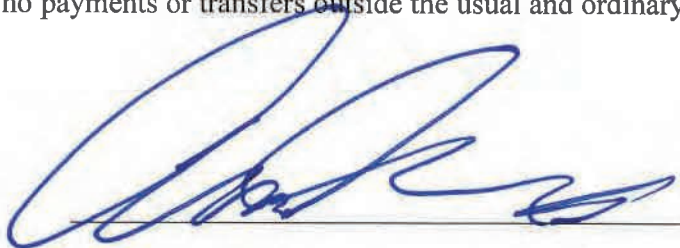
23. THIS COURT ORDERS that the Debtors, and their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this injunction, are restrained from directly or indirectly, by any means whatsoever:

- (a) selling, removing, dissipating, alienating, transferring, assigning, encumbering, or similarly dealing with any of the Property;

- 9 -

- (b) instructing, requesting, counselling, demanding, or encouraging any other person to do so; and
- (c) facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which is to do so.

24. THIS COURT ORDERS that the Property shall be managed in the usual and ordinary course of business and that there shall be no payments or transfers outside the usual and ordinary course of business.



Alan G. Smith

SUPERIOR COURT OF
JUSTICE

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

MAR 05 2019

PER / PAR: *RW*

SCHEDULE "A"
DEBTOR ENTITIES

1. 29 Laren Street Inc.
2. 3415 Errington Avenue Inc.
3. 3419 Errington Avenue Inc.
4. 331 Regent Street Inc.
5. 110-114 Pine Street Inc.
6. 15-16 Keziah Court Inc.
7. 193 Mountain Street Inc.
8. 625 Ash Street Inc.
9. 101 Service Road Inc.
10. 146 Whittaker Street Inc.
11. Estate of Judith Hutchens
12. 364 Morris Street Inc.
13. 367-369 Howey Drive Inc.
14. 720 Cambrian Heights Inc.
15. JBD Hutchens Family Holdings Inc.
16. 17 Serpentine Street Inc.

SCHEDULE "B"
DEBTOR PROPERTIES

Real Property:

	Property Address	Registered Owner	Legal Description of Real Property
1.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0001 (LT); PCL 12042 SEC SES; PT LT 31 BLK B PL M9 DRYDEN & PT LT 32 BLK B PL M9 DRYDEN AS IN LT67718; PT LT 33 PL M9 DRYDEN PT 1 53R64589; GREATER SUDBURY
2.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0006 (LT); PCL 12115 SEC SES; LT 30 BLK B PL M9 DRYDEN; GREATER SUDBURY
3.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0008 (LT); PLC 12201 SEC SES; LT 29 BLK B PL M9 DRYDEN; PT PINE ST PL M9 DRYDEN; PT LANE PL PL M9 DRYDEN (NOW CLOSED) PARTS 3- 5, 53R9050 SAVE & EXPECTING THEREFROM THE CANADIAN PACIFIC RAILWAY COMPANY PROPERTY, & THAT PORTION OF THE WAHNAPIITAE RIVER; S/T LT567345; GREATER SUDBURY
4.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0493 (LT); PCL 3816 SEC SES; LT 5-6 BLK B PL M9 DRYDEN; S/T LT567345; GREATER SUDBURY
5.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0446 (LT); PCL 12386 SEC SES; LT 1-3 BLK B PL M9 DRYDEN; GREATER SUDBURY
6.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0512 (LT); PLC 198 SEC SES; LT 4 BLK B PL M9 DRYDEN; GREATER SUDBURY
7.	3415 Errington Avenue Sudbury, Ontario	3415 Errington Avenue Inc.	PIN: 73349-1569 (LT) PCL 10618 SEC SWS; LT 215 BLK 6

	Property Address	Registered Owner	Legal Description of Real Property
			PL M91 BALFOUR; GREATER SUDBURY
8.	3419 Errington Avenue Sudbury, Ontario	3419 Errington Avenue Inc.	PIN: 73349-0720 (LT) PCL 21629 SEC SWS; LT 222 BLK 6 PL M91 BALFOUR; GREATER SUDBURY
9.	331 Regent Street Sudbury, Ontario	331 Regent Street Inc.	PIN #73586-0638 (LT) LT 297 PL 4SC MCKIM; GREATER SUDBURY
10.	110-114 Pine Street Sudbury, Ontario	110-114 Pine Street Inc.	PIN #02135-0246 (LT); LTS 48, 49, PT LT 50, BLK B PLAN 3SA; PTS 2, 4, 5, 6 53R11500 SUBJECT TO S94352 CITY OF SUDBURY
11.	193 Mountain Street Sudbury, Ontario	193 Mountain Street Inc.	PIN #02132-0942 (LT); PCLS 2388, 3113 AND 21292 SEC SES LTI PLAN M28B EXCEPT COMM AT THE S ELY ANGLE OF LT1; THENCE S 37 DEG 16'W ALONG THE SLY LIMIT OF LT1 A DISTANCE OF 42FT 3INCHES TO THE SLY ANGLE OF SAID LT1; THENCE S 73 DEG 04"W ALONG THE SLY LIMIT OF SAID LT1 A DISTANCE OF 10FT, 6INCHES TO THE SW ANGLE OF LT1; THENCE N 52DEG 10"W ALONG THE W LIMIT OF LT1 A DISTANCE OF 10FT, 6INCHES TO A POINT; THENCE N 64DEG 29'E A DISTANCE OF 11 FT MORE OR LESS TO A POINT BEING 11.0FT N 25DEG 31'W OF THE SLY ANGLE OF LT1; THENCE N 52 DEG 00' E A DISTANCE OF 38FT MORE OR LESS TO THE POC, PLAN ATTACHED IN 33273, NOW PCL 5776 SES; LT2 PLAN M28B EXCEPT COMMENCING AT THE S ELY ANGLE OF LT2, THENCE S 73 DEGREES 04'W ALONG THE SLY LIMIT OF LT2 A DISTANCE OF 63'2" TO THE S WLY ANGLE OF LT2, THEN N64 DEGREES 29' EA DISTANCE OF 62' MORE OR LESS TO A POINT ON THE ELY LIMIT OF LT2, THENCE S 52 DEGREES E ALONG THE ELY LIMIT OF LT2 A

	Property Address	Registered Owner	Legal Description of Real Property
			DISTANCE OF 10'6" MORE OR LESS TO THE POC; PLAN ATTACHED IN 33273, NOW PLC 5776 SES; EXCEPT COMM AT A POINT IN THE S WESTERN LIMIT OF SAID LT2 DISTANT 95.0FT FROM THE MOST SLY ANGLE OF SAID LT; THENCE N 45DEG 23'W TO A POINT IN THE HIGHWATER MARK OF THE EASTERN BANK OF JUNCTION CREEK; THENCE S WLY FOLLOWING ALONG SAID HIGHWATER MARK TO THE MOST WLY ANGLE OF SAID LT; THENCE S 54DEG 42'E ALONG THE AFORESAID S WESTERN LIMIT 95.0 FT MORE OR LESS TO THE POC, NOW PCL 21291 SES; EXCEPT PT1 53R8264; PT LT3 PLAN M28B COMM AT TA POINT IN THE N ELY ANGLE; THENCE S 70 DEG 32' W ALONG THE S EASTERN LIMIT OF SAID LT 18.0FT; THENCE N 45DEG 23'W TO THE POC; EXCEPT PT 2 53R8264 SUBJECT TO 25265S/T LT868119 PART 6&7 ON PLAN 53R-16220 CITY OF SUDBURY
12.	1779 Cross Street Innisfil, Ontario	Tanya Hutchens	PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL
13.	367-369 Howey Drive Sudbury, Ontario	367-369 Howey Drive Inc.	PIN #73583-0400 (LT); LT 1-2 BLK A PL 5SA MCKIM S/T & T/W S112782; S/T INTEREST IN S112782; GREATER SUDBURY
14.	33 Theodore Place Vaughan, Ontario	Tatiana Hutchens	PIN #03251-0304 (LT); PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593: Vaughan
15.	33 Theodore Place Vaughan, Ontario	Tatiana Hutchens	PIN #03251-0304 (LT); PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593: Vaughan
16.	1889 Simcoe Blvd Innisfil, Ontario	Tatiana Hutchens	LT 31, PL 657; INNISFIL being all of PIN (58072-0299 (LT))
17.	1790 Cross Street	Tatiana Hutchens	LT 1, PL 978; INNISFIL

- 4 -

	Property Address	Registered Owner	Legal Description of Real Property
	Innisfil, Ontario		being all of PIN (58069-0103 (LT))
18.	1479 Maple Road Innisfil, Ontario	Tatiana Hutchens	LT 6, PL 642; INNISFIL being all of PIN (58068-0102 (LT))

Personal Property:

Sea Doo Boat located at 33 Theodore Place, Vaughan, Ontario.

GARY STEVENS et al. v. SANDY HUTCHENS et al.
Applicants Respondents

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at TORONTO

**ORDER
(APPOINTING INTERIM RECEIVER)**

Necpal Litigation Professional Corporation
171 John Street, Suite 101
Toronto, Ontario M5T 1X3
Fax: 1.866.495.8389

Justin Necpal (LSO# 56126J)
Tel: 416.646.2920
justin@necpal.com

Anisah Hassan (LSO# 65919L)
Tel: 416.646.1018
ahassan@necpal.com

Lawyers for the Applicants, Gary Stevens,
Linda Stevens and 1174365 Alberta Ltd.

Appendix 2

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

)

MONDAY, THE

JUSTICE PENNY

)

18TH DAY OF MARCH, 2019

)

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

**ORDER
(Continuing Receivership)**

THIS MOTION made by the Applicants on notice for an Order continuing the appointment of A. Farber & Partners Inc. as receiver without security, of all of the assets, undertakings and properties of the Respondents and the entities referred to at Schedule "A" attached hereto (collectively, with the Respondents, the "Debtors"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Applicants, the Supplementary Motion Record of the Applicants and the Factum of the Applicants, the consent of A. Farber & Partners Inc. to act as the receiver, and on hearing the submissions of counsel for the Applicants, the Debtors and the plaintiffs in Court File No. 2651/17:

APPOINTMENT CONTINUED

1. THIS COURT ORDERS that the Order dated February 28, 2019 (the "February 28 Order") appointing A. Farber & Partners Inc. as Receiver, without security, of all of the assets, undertakings and properties, including the real property listed in Schedule "B" hereto (the "Schedule "B" Properties"), of the Debtors, including all proceeds thereof (the "Property"), is hereby continued on the terms set out below, until further order of this Court.

RECEIVER'S POWERS

2. THIS COURT ORDERS that the Receiver is hereby empowered and authorized, but not obligated, to act at once in respect of the Property and, without in any way limiting the generality of the foregoing, the Receiver is hereby expressly empowered and authorized to do any of the following where the Receiver considers it necessary or desirable:

- (a) to investigate and monitor the Debtors' affairs and the Property;
- (b) to review and have access to any and all financial information pertaining to the Debtors and the Property, including bank statements, financial records and accounts;
- (c) to demand access to additional documents as it sees fit;
- (d) to take possession of and exercise control over the real property listed in Rows 1-13 and 16-20 of Schedule "B" hereto (hereinafter "the Income Producing Property") and any and all proceeds, receipts and disbursements arising out of or from the Income Producing Property;
- (e) to receive, preserve, and protect the Income Producing Property, or any part or parts thereof, including, but not limited to, the changing of locks and security codes, the engaging of independent security personnel, the taking of physical inventories and the placement of such insurance coverage as may be necessary or desirable;
- (f) to manage, operate, and carry on the business of the Debtors with respect to the Income Producing Property, including the powers to enter into any agreements,

incur any obligations in the ordinary course of business, cease to carry on all or any part of the business, or cease to perform any contracts of the Debtor;

- (g) to receive all revenues generated by the Income Producing Property, including without limitation any rents paid by tenants thereof;
- (h) to engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time and on whatever basis, including on a temporary basis, to assist with the exercise of the Receiver's powers and duties, including without limitation those conferred by this Order;
- (i) to report to, meet with and discuss with such affected Persons (as defined below) as the Receiver deems appropriate on all matters relating to the Property and the receivership, and to share information, subject to such terms as to confidentiality as the Receiver deems advisable;
- (j) to conduct examinations under oath of any Person concerning the management of known assets of the Debtors and the existence of any other assets; and
- (k) to take any steps reasonably incidental to the exercise of these powers or the performance of any statutory obligations;
- (l) to execute, assign, issue and endorse documents of whatever nature in respect of any of the Property, whether in the Receiver's name or in the name and on behalf of the Debtors, for any purpose pursuant to this Order.

and in each case where the Receiver takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other Persons (as defined below) and without interference from any other Person.

RING-FENCING AND USE OF FUNDS

3. THIS COURT ORDERS that all funds, monies, cheques, instruments, and other forms of payments received or collected, from and after the making of this Order, from any source whatsoever, including without limitation the collection of rents paid by tenants of the Property and

the collection of any accounts receivable of the Debtors in whole or part, whether in existence on the date of the Order or hereafter coming into existence, shall be deposited into new property-specific accounts (the "**Segregated Accounts**") to be opened by the Receiver immediately. The Segregated Accounts shall be segregated such that all receipts in respect of a property shall be deposited into the Segregated Account opened in respect of such property and all permitted disbursements (the "**Permitted Disbursements**") in respect of such property shall be withdrawn therefrom, if sufficient funds are available. Permitted Disbursements shall mean, in relation to the property in respect of which a Segregated Account has been opened, realty taxes, utilities, payroll, insurance, maintenance expenses, other reasonable property-specific expenses and business expenses associated with such property. The Receiver shall have sole signing authority over the Segregated Accounts.

DUTY TO PROVIDE ACCESS AND CO-OPERATION TO THE RECEIVER

4. THIS COURT ORDERS that (i) the Debtors, (ii) all of their current and former directors, officers, employees, agents, accountants, legal counsel, shareholders, banks, financial institutions, brokerages, and all officers and employees of such banks, financial institutions and brokerages, (iii) all other individuals, firms, corporations, governmental bodies or agencies, or other entities having notice of this Order, and (iv) anyone acting on the instructions of anyone listed in this paragraph (all of the foregoing, collectively, being "Persons" and each being a "Person", save and except for the Applicants) shall forthwith advise the Receiver of the existence of any Property in such Person's possession or control.

5. THIS COURT ORDERS that all Persons shall forthwith advise the Receiver of the existence of any books, documents, securities, contracts, orders, corporate and accounting records, and any other papers, records and information of any kind related to the business or affairs of the Debtors, and any computer programs, computer tapes, computer disks, or other data storage media containing any such information (the foregoing, collectively, the "Records") in that Person's possession or control, and shall provide to the Receiver or permit the Receiver to make, retain and take away copies thereof and grant to the Receiver unfettered access to and use of accounting, computer, software and physical facilities relating thereto, provided however that nothing in this paragraph 5 or in paragraph 6 of this Order shall require the delivery of Records, or the granting of access to Records, which may not be disclosed or provided to the Receiver due to the privilege

attaching to solicitor-client communication or due to statutory provisions prohibiting such disclosure.

6. THIS COURT ORDERS that if any Records are stored or otherwise contained on a computer or other electronic system of information storage, whether by independent service provider or otherwise, all Persons in possession or control of such Records shall forthwith give unfettered access to the Receiver for the purpose of allowing the Receiver to recover and fully copy all of the information contained therein whether by way of printing the information onto paper or making copies of computer disks or such other manner of retrieving and copying the information as the Receiver in its discretion deems expedient, and shall not alter, erase or destroy any Records without the prior written consent of the Receiver. Further, for the purposes of this paragraph, all Persons shall provide the Receiver with all such assistance in gaining immediate access to the information in the Records as the Receiver may in its discretion require including providing the Receiver with instructions on the use of any computer or other system and providing the Receiver with any and all access codes, account names and account numbers that may be required to gain access to the information.

7. THIS COURT ORDERS that the Receiver shall have access to those premises wherever the Records are kept, retained, stored or used, including, but not limited to, the Schedule "B" Properties, upon reasonable notice to any of the Debtors having control of such premises, or their legal counsel, and the offices or residential premises of all Persons (as defined in sub-paragraph 4 above) relating to the business and affairs of the Debtors, and the Debtors and all Persons shall take all reasonable steps to ensure that the Receiver will have such access.

NO PROCEEDINGS AGAINST THE RECEIVER

8. THIS COURT ORDERS that no proceeding or enforcement process in any court or tribunal (each, a "Proceeding"), shall be commenced or continued against the Receiver except with the written consent of the Receiver or with leave of this Court.

NO PROCEEDINGS AGAINST THE DEBTORS OR THE PROPERTY

9. THIS COURT ORDERS that, with the exception of the proceeding underway in Court File No. 2651/17 in the Superior Court of Justice at London, Ontario, no Proceeding against or in

respect of the Debtors or the Property shall be commenced or continued except with the written consent of the Receiver or with leave of this Court and any and all Proceedings currently under way against or in respect of the Debtors or the Property are hereby stayed and suspended pending further Order of this Court.

NO EXERCISE OF RIGHTS OR REMEDIES

10. THIS COURT ORDERS that all rights and remedies against the Debtors, the Receiver, or affecting the Property, except the within proceeding and the proceeding underway in Court File No. 2651/17 in the Superior Court of Justice at London, Ontario, are hereby stayed and suspended except with the written consent of the Receiver or leave of this Court, provided however that this stay and suspension does not apply in respect of any "eligible financial contract" as defined in the BIA, and further provided that nothing in this paragraph shall (i) empower the Receiver or the Debtors to carry on any business which the Debtors are not lawfully entitled to carry on, (ii) exempt the Receiver or the Debtors from compliance with statutory or regulatory provisions relating to health, safety or the environment, (iii) prevent the filing of any registration to preserve or perfect a security interest, or (iv) prevent the registration of a claim for lien.

NO INTERFERENCE WITH THE RECEIVER

11. THIS COURT ORDERS that no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, licence or permit in favour of or held by the Debtors, without written consent of the Receiver or leave of this Court.

CONTINUATION OF SERVICES

12. THIS COURT ORDERS that all Persons having oral or written agreements with the Debtors or statutory or regulatory mandates for the supply of goods and/or services, including without limitation, all computer software, communication and other data services, centralized banking services, payroll services, insurance, transportation services, utility or other services to the Debtors are hereby restrained until further Order of this Court from discontinuing, altering, interfering with or terminating the supply of such goods or services as may be required by the Receiver, and that the Receiver shall be entitled to the continued use of the Debtors' current telephone numbers, facsimile numbers, internet addresses and domain names, provided in each

case that the normal prices or charges for all such goods or services received after the date of this Order are paid by the Receiver in accordance with normal payment practices of the Debtors or such other practices as may be agreed upon by the supplier or service provider and the Receiver, or as may be ordered by this Court.

LIMITATION ON THE RECEIVER'S LIABILITY

13. THIS COURT ORDERS that the Receiver shall incur no liability or obligation as a result of its appointment or the carrying out the provisions of this Order, save and except for any gross negligence or wilful misconduct on its part, or in respect of its obligations under sections 81.4(5) or 81.6(3) of the BIA or under the *Wage Earner Protection Program Act*. Nothing in this Order shall derogate from the protections afforded the Receiver by section 14.06 of the BIA or by any other applicable legislation.

RECEIVER'S ACCOUNTS

14. THIS COURT ORDERS that the Receiver and counsel to the Receiver shall be paid their reasonable fees and disbursements, in each case at their standard rates and charges unless otherwise ordered by the Court on the passing of accounts, and that the Receiver and counsel to the Receiver shall be entitled to and are hereby granted a charge (the "Receiver's Charge") on the Property, as security for such fees and disbursements, both before and after the making of this Order in respect of these proceedings, and that the Receiver's Charge shall form a first charge on the Property in priority to all security interests, trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any Person, but subject to sections 14.06(7), 81.4(4), and 81.6(2) of the BIA.

15. THIS COURT ORDERS that the Receiver and its legal counsel shall pass its accounts from time to time, and for this purpose the accounts of the Receiver and its legal counsel are hereby referred to a judge of the Commercial List of the Ontario Superior Court of Justice.

16. THIS COURT ORDERS that the Receiver and its counsel shall allocate their respective fees and disbursements with respect to work done on each of the Income Producing Properties.

17. THIS COURT ORDERS that prior to the passing of its accounts, the Receiver shall be at liberty from time to time to apply reasonable amounts, out of the monies in its hands, including monies in the Segregated Accounts, against its fees and disbursements, including legal fees and

disbursements, incurred at the standard rates and charges of the Receiver or its counsel, and such amounts shall constitute advances against its remuneration and disbursements when and as approved by this Court.

FUNDING OF THE RECEIVERSHIP

18. THIS COURT ORDERS that the Receiver be at liberty and it is hereby empowered to borrow by way of a revolving credit or otherwise, such monies from time to time as it may consider necessary or desirable, provided that the outstanding principal amount does not exceed \$750,000 (or such greater amount as this Court may by further Order authorize) at any time, at such rate or rates of interest as it deems advisable for such period or periods of time as it may arrange, for the purpose of funding the exercise of the powers and duties conferred upon the Receiver by this Order, including interim expenditures. The whole of the Property shall be and is hereby charged by way of a fixed and specific charge (the "Receiver's Borrowings Charge") as security for the payment of the monies borrowed, together with interest and charges thereon, in priority to all security interests, trusts, liens, charges and encumbrances, statutory or otherwise, in favour of any Person, but subordinate in priority to the Receiver's Charge and the charges as set out in sections 14.06(7), 81.4(4), and 81.6(2) of the BIA.

19. THIS COURT ORDERS that neither the Receiver's Borrowings Charge nor any other security granted by the Receiver in connection with its borrowings under this Order shall be enforced without leave of this Court.

20. THIS COURT ORDERS that the Receiver is at liberty and authorized to issue certificates substantially in the form annexed as Schedule "C" hereto (the "Receiver's Certificates") for any amount borrowed by it pursuant to this Order.

21. THIS COURT ORDERS that the monies from time to time borrowed by the Receiver pursuant to this Order or any further order of this Court and any and all Receiver's Certificates evidencing the same or any part thereof shall rank on a *pari passu* basis, unless otherwise agreed to by the holders of any prior issued Receiver's Certificates.

GENERAL

22. 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.

23. THIS COURT ORDERS that the Receiver be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order, and that the Receiver is authorized and empowered to act as a representative in respect of the within proceedings for the purpose of having these proceedings recognized in a jurisdiction outside Canada.

TIMING OF FURTHER STEPS

24. The Respondents shall fulfill their obligations under the February 28 order by no later than April 18, 2019.

25. The Receiver shall deliver a further report by April 30, 2019.



CM CHIBA, Registrar
Superior Court of Justice

330 UNIVERSITY AVE.	330 AVE. UNIVERSITY
7TH FLOOR	7E ÉTAGE
TORONTO, ONTARIO	TORONTO, ONTARIO
M5G 1A7	M5G 1A7

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

MAR 26 2019

PER / PAR: *RW*

SCHEDULE "A"
DEBTOR ENTITIES

1. 29 Laren Street Inc.
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11. Estate of Judith Hutchens
12. 364 Morris Street Inc.
13. 367-369 Howey Drive Inc.
14. 720 Cambrian Heights Inc.
15. JBD Hutchens Family Holdings Inc.
16. 17 Serpentine Street Inc.

SCHEDULE "B"
DEBTOR PROPERTIES

Real Property:

	Property Address	Registered Owner	Legal Description of Real Property
1.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0001 (LT); PCL 12042 SEC SES; PT LT 31 BLK B PL M9 DRYDEN & PT LT 32 BLK B PL M9 DRYDEN AS IN LT67718; PT LT 33 PL M9 DRYDEN PT 1 53R64589; GREATER SUDBURY
2.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0006 (LT); PCL 12115 SEC SES; LT 30 BLK B PL M9DRYDEN;GREATERSUDBURY
3.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0008 (LT); PLC 12201 SEC SES; LT 29 BLK B PL M9 DRYDEN; PT PINE ST PL M9 DRYDEN; PT LANE PL PL M9 DRYDEN (NOW CLOSED) PARTS 3- 5, 53R9050 SAVE & EXPECTING THEREFROM THE CANADIAN PACIFIC RAILWAY COMPANY PROPERTY, & THAT PORTION OF THE WAHNAPIITAE RIVER; S/T LT567345; GREATER SUDBURY
4.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0493 (LT); PCL 3816 SEC SES; LT 5-6 BLK B PL M9 DRYDEN; S/T LT567345; GREATER SUDBURY
5.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0446 (LT); PCL 12386 SEC SES; LT 1-3 BLKB PL M9DRYDEN;GREATERSUDBURY
6.	29 Laren Street Sudbury, Ontario	29 Laren Street Inc.	PIN #73481-0512 (LT); PLC 198 SEC SES; LT 4 BLK B PL M9 DRYDEN;GREATERSUDBURY
7.	3415 Errington Avenue Sudbury, Ontario	3415 Errington Avenue Inc.	PIN: 73349-1569 (LT)

- 2 -

	Property Address	Registered Owner	Legal Description of Real Property
			PCL 10618 SEC SWS;LT215BLK6PL M91 BALFOUR; GREATER SUDBURY
8.	3419 Errington Avenue Sudbury, Ontario	3419 Errington Avenue Inc.	PIN: 73349-0720 (LT) PCL 21629 SEC SWS; LT 222 BLK 6 PL M91 BALFOUR; GREATER SUDBURY
9.	331 Regent Street Sudbury, Ontario	331 Regent Street Inc.	PIN #73586-0638 (LT) LT 297 PL 4SC MCKIM; GREATER SUDBURY
10.	110-114 Pine Street Sudbury, Ontario	110-114 Pine Street Inc.	PIN #02135-0246 (LT); LTS 48, 49, PT LT 50, BLK B PLAN 3SA; PTS 2, 4, 5, 6 53R11500 SUBJECT TO S94352 CITY OF SUDBURY
11.	193 Mountain Street Sudbury, Ontario	193 Mountain Street Inc.	PIN #02132-0942 (LT); PCLS 2388, 3113 AND 21292 SEC SES LTI PLAN M28B EXCEPT COMM AT THESELY ANGLE OF LT1; THENCE S 37 DEG 16'W ALONG THE SLY LIMIT OF LT1 A DISTANCE OF 42FT 3INCHES TO THE SLY ANGLE OF SAID LT1; THENCE S 73 DEG 04'W ALONG THE SLY LIMIT OF SAID LT1 A DISTANCE OF 10FT, 6INCHES TO THE SW ANGLE OF LT1; THENCE N 52DEG 10'W ALONG THE W LIMIT OF LT1 A DISTANCE OF 10FT, 6INCHES TO A POINT; THENCE N 64DEG 29'E A DISTANCE OF 11 FT MORE OR LESS TO A POINT BEING 11.0FT N 25DEG 31'W OF THE SLY ANGLE OF LT1; THENCE N 52 DEG 00' E A DISTANCE OF 38FT MORE OR LESS TO THE POC, PLAN ATTACHED IN 33273, NOW PCL5776 SES; LT2 PLAN M28B EXCEPT COMMENCING AT THESELY ANGLE OF LT2, THENCE S 73 DEGREES 04'W ALONG THE SLY LIMIT OF LT2 A DISTANCE OF 63'2" TO THE SWLY ANGLE OF LT2, THEN N64 DEGREES 29' EA DISTANCE OF 62' MORE OR LESS TO A POINT ON THE ELY LIMIT OF LT2, THENCE S 52 DEGREES E ALONG THE ELY LIMIT OF LT2 A

	Property Address	Registered Owner	Legal Description of Real Property
			DISTANCE OF 10'6" MORE OR LESS TO THE POC; PLAN ATTACHED IN 33273, NOW PLC 5776 SES; EXCEPT COMM AT A POINT IN THE S WESTERN LIMIT OF SAID LT2 DISTANT 95.0FT FROM THE MOST SLY ANGLE OF SAID LT; THENCE N 45DEG 23'W TO A POINT IN THE HIGHWATER MARK OF THE EASTERN BANK OF JUNCTION CREEK; THENCE S WLY FOLLOWING ALONG SAID HIGHWATER MARK TO THE MOST WLY ANGLE OF SAID LT; THENCE S 54DEG 42'E ALONG THE AFORESAID S WESTERN LIMIT 95.0 FT MORE OR LESS TO THE POC, NOW PCL 21291 SES; EXCEPT PT1 53R8264; PT LT3 PLAN M28B COMM AT TA POINT IN THEN ELY ANGLE; THENCE S 70 DEG 32' W ALONG THE S EASTERN LIMIT OF SAID LT 18.0FT; THENCE N 45DEG 23'W TO THE POC; EXCEPT PT 2 53R8264 SUBJECT TO 25265S/T LT868119 PART 6&7 ON PLAN 53R-16220 CITY OF SUDBURY
12.	1779 Cross Street Innisfil, Ontario	Tanya Hutchens	PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R.01093173;STR.01093173;INNISFIL
13.	367-369 Howey Drive Sudbury, Ontario	367-369 Howey Drive Inc.	PIN #73583-0400 (LT); LT 1-2 BLK A PL 5SA MCKIM S/T & T/W S112782; S/T INTEREST IN S112782; GREATER SUDBURY
14.	33 Theodore Place Vaughan, Ontario	Tatiana Hutchens	PIN #03251-0304 (LT); PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593: Vaughan
15.	33 Theodore Place Vaughan, Ontario	Tatiana Hutchens	PIN #03251-0304 (LT); PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593: Vaughan
16.	1889 Simcoe Blvd Innisfil, Ontario	Tatiana Hutchens	LT 31, PL 657; INNISFIL being all of PIN (58072-0299 (LT))
17.	1790 Cross Street Innisfil, Ontario	Tatiana Hutchens	LT 1, PL 978; INNISFIL being all of PIN (58069-0103 (LT))

- 4 -

	Property Address	Registered Owner	Legal Description of Real Property
18.	1479 Maple Road Innisfil, Ontario	Tatiana Hutchens	LT 6, PL 642; INNISFIL being all of PIN (58068-0102 (LT))
19.	17 Serpentine Street Sudbury, Ontario	17 Serpentine Street Inc.	PIN 73599-0157 (LT); PLC 40961 SEC SES SRO; LT 95 PL MI 025 MCKIM; S/T LT 387652, LT387654; GREATER SUDBURY
20.	42 Clemow Avenue Sudbury, Ontario	Sandy Hutchens and the Estate of Judith Hutchens	

Personal Property:

Sea Doo Boat located at 33 Theodore Place, Vaughan, Ontario.

- 5 -

SCHEDULE "C"

RECEIVER CERTIFICATE

CERTIFICATE NO. _____

AMOUNT\$ _____

1. THIS IS TO CERTIFY that [RECEIVER'S NAME], the receiver (the "Receiver") of the assets, undertakings and properties [DEBTOR'S NAME] acquired for, or used in relation to a business carried on by the Debtor, including all proceeds thereof (collectively, the "Property") appointed by Order of the Ontario Superior Court of Justice (Commercial List) (the "Court") dated the ____ day of _____, 20__ (the "Order") made in an action having Court file number ____-CL-_____, has received as such Receiver from the holder of this certificate (the "Lender") the principal sum of \$_____, being part of the total principal sum of \$_____ which the Receiver is authorized to borrow under and pursuant to the Order.

2. The principal sum evidenced by this certificate is payable on demand by the Lender with interest thereon calculated and compounded [daily][monthly not in advance on the _____ day of each month] after the date hereof at a notional rate per annum equal to the rate of _____ per cent above the prime commercial lending rate of Bank of _____ from time to time.

3. Such principal sum with interest thereon is, by the terms of the Order, together with the principal sums and interest thereon of all other certificates issued by the Receiver pursuant to the Order or to any further order of the Court, a charge upon the whole of the Property, in priority to the security interests of any other person, but subject to the priority of the charges set out in the Order and in the *Bankruptcy and Insolvency Act*, and the right of the Receiver to indemnify itself out of such Property in respect of its remuneration and expenses.

4. All sums payable in respect of principal and interest under this certificate are payable at the main office of the Lender at Toronto, Ontario.

5. Until all liability in respect of this certificate has been terminated, no certificates creating charges ranking or purporting to rank in priority to this certificate shall be issued by the Receiver to any person other than the holder of this certificate without the prior written consent of the holder of this certificate.

- 6 -

6. The charge securing this certificate shall operate so as to permit the Receiver to deal with the Property as authorized by the Order and as authorized by any further or other order of the Court.

7. The Receiver does not undertake, and it is not under any personal liability, to pay any sum in respect of which it may issue certificates under the terms of the Order.

DATED the _____ day of _____, 20__.

[RECEIVER'S NAME], solely in its capacity
as Receiver of the Property, and not in its
personal capacity

Per: _____

Name:

Title:

GARY STEVENS et al. v. SANDY HUTCHENS et al.
Applicants Respondents

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at TORONTO

**ORDER
(CONTINUING RECEIVERSHIP)**

Necpal Litigation Professional Corporation
171 John Street, Suite 101
Toronto, Ontario M5T 1X3
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Lawyers for the Applicants, Gary Stevens,
Linda Stevens and 1174365 Alberta Ltd.

Appendix 3

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

)

THURSDAY , THE 25TH

)

JUSTICE PENNY

)

DAY OF APRIL, 2019

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

THIS MOTION, made by the Respondents, was heard this day at 330 University Avenue, Toronto, Ontario.

ON BEING ADVISED of the Consent of the Applicants, the Respondents, the entities referred to at Schedule “B” attached hereto, the plaintiffs in the Ontario Superior Court of Justice proceeding bearing London Court File No. 2651/17 (the “**London Plaintiffs**”), Ronald Henderson, Meridian Credit Union Limited, and A. Farber & Partners Inc. as receiver (the “**Receiver**”) without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28 and March 18, 2019 (together, the “**Appointment Orders**”), and on being advised that no other member of the Service List in this proceeding has opposed the relief herein,

SALE OF PROPERTIES

1. THIS COURT ORDERS that in addition to the Receiver's powers and authorizations set out in the Appointment Orders, the Receiver is hereby empowered and authorized, but not obligated, to act as follows in respect of the properties listed in Schedule "A" hereto (the "**Saleable Properties**"):

- (a) to market any or all of the Saleable Properties, including advertising and soliciting offers in respect of the Property or any part or parts thereof and negotiating such terms and conditions of sale as the Receiver in its discretion may deem appropriate;
- (b) to sell, convey, transfer, lease or assign the Saleable Properties or any part or parts thereof out of the ordinary course of business,
 - (i) without the approval of this Court in respect of any transaction not exceeding \$250,000, provided that the aggregate consideration for all such transactions does not exceed \$500,000; and
 - (ii) with the approval of this Court in respect of any transaction in which the purchase price or the aggregate purchase price exceeds the applicable amount set out in the preceding clause;

and in each such case notice under subsection 63(4) of the Ontario *Personal Property Security Act* or section 31 of the Ontario *Mortgages Act* shall not be required; and

- (c) to apply for any vesting order or other orders necessary to convey the Saleable Properties or any part or parts thereof to a purchaser or purchasers thereof, free and clear of any liens or encumbrances affecting such Saleable Property.

2. THIS COURT ORDERS that paragraph 3 of the Order herein dated March 18, 2019 shall apply to the proceeds of sale of any Saleable Property, net of closing expenses.

FREEZING, LIVING EXPENSES, LEGAL EXPENSES

3. THIS COURT ORDERS that the Respondents and the entities referred to at Schedule "B" attached hereto (collectively, the "Debtors"), and their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this injunction, are restrained from directly or indirectly, by any means whatsoever:

- (a) selling, removing, dissipating, alienating, transferring, assigning, encumbering, or similarly dealing with any assets of the Debtors, wherever situate;
- (b) instructing, requesting, counselling, demanding , or encouraging any other person to do so; and
- (c) facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which is to do so.

4. THIS COURT ORDERS that paragraph 3 applies to all of the Debtors' assets whether or not they are in their own names and whether they are solely or jointly owned. For the purpose of this order, the Debtors' assets include any asset which any one of them has the power, directly or indirectly, to dispose of or deal with as if it were his own. A Debtor is to be regarded as having such power if a third party holds or controls the assets in accordance with the Debtor's direct or indirect instructions.

5. THIS COURT ORDERS that notwithstanding paragraphs 3 and 4 of this Order, the Receiver shall:

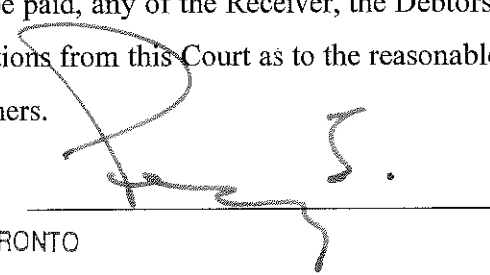
- (a) pay to the Debtors reasonable amounts from the funds in the Receiver's possession as a result of the Appointment Orders or this Order, subject to the availability of such funds for spending on ordinary living expenses and legal advice and representation, and excluding the following funds from the proceeds of the Saleable Properties noted, which funds shall not be paid to the Debtors without the express written consent of the London Plaintiffs or further Order of the Court obtained on notice to the London Plaintiffs:

- 4 -

- (i) 33 Theodore Place, Vaughan, Ontario – \$379,968;
 - (ii) 42 Clemow Avenue, Sudbury, Ontario – \$615,000; and
 - (iii) 1779 Cross Street, Innisfil, Ontario – \$150,626.22;
- (b) authorize the Debtors to spend reasonable amounts from funds in their power, possession or control otherwise subject to paragraph 3 above on ordinary living expenses and legal advice and representation, and in either case the Debtors shall be entitled to spend such funds on ordinary living expenses and legal advice and representation only.

6. THIS COURT ORDERS that the Receiver shall provide notice to the Applicants and the London Plaintiffs of any amount to be paid or authorized to a Debtor pursuant to paragraph 5 above at least 24 hours prior to making such a payment.

7. THIS COURT ORDERS that if the Receiver and any Debtor cannot agree on reasonable amounts to be paid pursuant to paragraph 5 above, or if the Applicants and/or the London Plaintiffs dispute the reasonableness of any amount proposed to be paid, any of the Receiver, the Debtors, the Applicants, or the London Plaintiffs may seek directions from this Court as to the reasonable quantum to be paid on at least 24 hours' notice to the others.



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

APR 25 2019

PER/PAR: UM

SCHEDULE "A"
SALEABLE PROPERTIES

	Property Address	Registered Owner	Legal Description of Real Property
1.	1779 Cross Street Innisfil, Ontario	Tanya Hutchens	PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL
2.	1889 Simcoe Blvd Innisfil, Ontario	Tatiana Hutchens	LT 31, PL 657; INNISFIL being all of PIN (58072-0299 (LT))
3.	1790 Cross Street Innisfil, Ontario	Tatiana Hutchens	LT 1, PL 978; INNISFIL being all of PIN (58069-0103 (LT))
4.	42 Clemow Avenue Sudbury, Ontario	Sandy Hutchens and the Estate of Judith Hutchens	PCL 7614 SEC SES; LT 278 PL M128 MCKIM; GREATER SUDBURY
5.	33 Theodore Place Vaughan, Ontario	Tatiana Hutchens	PIN #03251-0304 (LT); PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593: Vaughan

SCHEDULE "B"
DEBTOR ENTITIES

1. 29 Laren Street Inc.
2. 3415 Errington Avenue Inc.
3. 3419 Errington Avenue Inc.
4. 331 Regent Street Inc.
5. 110-114 Pine Street Inc.
6. 15-16 Keziah Court Inc.
7. 193 Mountain Street Inc.
8. 625 Ash Street Inc.
9. 101 Service Road Inc.
10. 146 Whittaker Street Inc.
11. Estate of Judith Hutchens
12. 364 Morris Street Inc.
13. 367-369 Howey Drive Inc.
14. 720 Cambrian Heights Inc.
15. JBD Hutchens Family Holdings Inc.
16. 17 Serpentine Street Inc.

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

ORDER

NAYMARK LAW

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Terrence Liu LSO#: 64130M

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Fax: (647) 660-5060

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 4

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

)

FRIDAY, THE 7TH

MR. JUSTICE PENNY

)


DAY OF JUNE, 2019

)

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –



SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

THIS MOTION, made by A. Farber & Partners Inc. as receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders (collectively, the “**Debtors**”) in this proceeding dated February 28, March 18, and April 25 2019 (together, the “**Receivership Orders**”), including certain real properties, for an order authorizing the sale transaction (the “**Sale Transaction**”) contemplated by an agreement of purchase and sale between the Receiver and Robert Whitcher (the “**Purchaser**”) on May 15, 2019 (the “**Sale Agreement**”) and appended to the Third Report of the Receiver dated June 3, 2019, and vesting in the Purchaser the Debtors’ rights, title and interests in and to the asset respectively described in the Sale Agreement (the “**Purchased Asset**”), as well as certain other relief related to the Receivership, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Receiver and on hearing the submissions of counsel for the Receiver, and on being advised that no party or member of the Service List herein opposes the relief set out in this Order:

AUTHORIZATION OF SALE TRANSACTION

1. THIS COURT ORDERS that the time for service of the Notice of Motion and the Motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

2. THIS COURT ORDERS AND DECLARES that the Sale Transaction is hereby approved, and the execution of the Sale Agreement by the Receiver is hereby authorized and approved, with such minor amendments as the Receiver may deem necessary. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the Sale Transaction and for the conveyance of the Purchased Asset to the Purchaser.

3. THIS COURT ORDERS AND DECLARES that upon the delivery of a Receiver's certificate to the Purchaser substantially in the form attached as Schedule A hereto (the **"Receiver's Certificate"**), all of the Debtors' right, title and interest in and to the Purchased Asset described in the Sale Agreement and listed on Schedule B hereto shall vest absolutely in the Purchaser, free and clear of and from any and all security interests (whether contractual, statutory, or otherwise), hypothecs, mortgages, trusts or deemed trusts (whether contractual, statutory, or otherwise), liens, executions, levies, charges, or other financial or monetary claims, whether or not they have attached or been perfected, registered or filed and whether secured, unsecured or otherwise (collectively, the **"Claims"**) including, without limiting the generality of the foregoing: (i) any encumbrances or charges created by the Receivership Orders; (ii) all charges, security interests or claims evidenced by registrations pursuant to the *Personal Property Security Act* (Ontario) or any other personal property registry system; and (iii) those Claims listed on Schedule C hereto (the **"Encumbrances"**) and, for greater certainty, this Court orders that all of the Encumbrances affecting or relating to the Purchased Assets are hereby expunged and discharged as against the Purchased Assets.

4. THIS COURT ORDERS that upon the registration in the Sudbury Land Registry (No. 53) Land Registry Office of an Application for Vesting Order in the form prescribed by the *Land Titles Act*, the Land Registrar is hereby directed to enter the Purchasers as the owners of the subject real property as identified in Schedule B hereto (the "**Real Property**") in fee simple, and is hereby directed to delete and expunge from title to the Real Property all of the Claims listed in Schedule C hereto.

5. THIS COURT ORDERS that for the purposes of determining the nature and priority of any Claims, the net proceeds from the sale of the Purchased Assets shall stand in the place and stead of the Purchased Assets, and that from and after the delivery of the Receiver's Certificate all Claims and Encumbrances shall attach to the net proceeds from the sale of the Purchased Assets with the same priority as they had with respect to the Purchased Assets immediately prior to the sale, as if the Purchased Assets had not been sold and remained in the possession or control of the person having that possession or control immediately prior to the sale.

6. THIS COURT ORDERS AND DIRECTS the Receiver to file with the Court a copy of the Receiver's Certificate, forthwith after delivery thereof.

7. THIS COURT ORDERS that, notwithstanding:

- (a) the pendency of these proceedings;
- (b) any applications for a bankruptcy order now or hereafter issued pursuant to the *Bankruptcy and Insolvency Act* (Canada) in respect of the Debtors and any bankruptcy order issued pursuant to any such applications; and
- (c) any assignment in bankruptcy made in respect of the Debtors;

the vesting of the Purchased Asset in the Purchaser pursuant to this Order shall be binding on any trustee in bankruptcy that has been or may from time to time be appointed in respect of the Debtors and shall not be void or voidable by creditors of the Debtors, nor shall it constitute nor be deemed to be a fraudulent preference, assignment, fraudulent conveyance, transfer at undervalue, or other reviewable transaction under the *Bankruptcy and Insolvency Act* (Canada) or any other applicable federal or provincial legislation, nor shall it constitute oppressive or unfairly prejudicial conduct pursuant to any applicable federal or provincial legislation.

8. 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.

SEALING CONFIDENTIAL APPENDICES

9. THIS COURT ORDERS that the Confidential Appendices to the Third Report be and are hereby sealed unless and until Receiver files a certificate confirming that the Transaction has closed.

DISTRIBUTION OF PROCEEDS FROM SALE TRANSACTION TO MORTGAGEE

10. THIS COURT ORDERS that the distribution of \$80,319.60, more or less, from the Sale Transaction to Ronald Henderson, in payment of his loan to Sandy Hutchens secured by a mortgage registered on title to the subject property is hereby authorized and approved. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the distribution of these funds to Mr. Henderson.

ADDITIONAL PROPERTIES

11. THIS COURT ORDERS that in addition to the Receiver's appointment set out in the Receivership Orders, the Receiver is hereby appointed as Receiver, without security, of the real property listed in Schedule "D" hereto, including all proceeds thereof (the "**Additional Properties**"), on the terms set out below, until further order of this Court.

12. THIS COURT ORDERS that in addition to the Receiver's powers and authorizations set out in the Receivership Orders, the Receiver is hereby empowered and authorized, but not obligated, to act at once in respect of the Additional Properties and, without in any way limiting the generality of the foregoing, the Receiver is hereby expressly empowered and authorized to do any of the following where the Receiver considers it necessary or desirable:

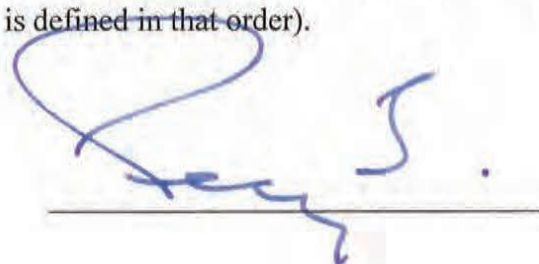
- (a) to investigate and monitor the Additional Properties;
- (b) to review and have access to any and all financial information pertaining to the Additional Properties, including bank statements, financial records and accounts;
- (c) to demand access to additional documents as it sees fit;
- (d) to take possession of and exercise control over the Additional Properties and any and all proceeds, receipts and disbursements arising out of or from the Additional Properties;
- (e) to receive, preserve, and protect the Additional Properties, or any part or parts thereof, including, but not limited to, the changing of locks and security codes, the engaging of independent security personnel, the taking of physical inventories and the placement of such insurance coverage as may be necessary or desirable;
- (f) to manage, operate, and carry on the business of the Debtors with respect to the Additional Properties, including the powers to enter into any agreements, incur any obligations in the ordinary course of business, cease to carry on all or any part of the business, or cease to perform any contracts of the Debtors;
- (g) to receive all revenues generated by the Additional Properties, including without limitation any rents paid by tenants thereof;
- (h) to engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time and on whatever basis, including on a temporary basis, to assist with the exercise of the Receiver's powers and duties, including without limitation those conferred by this Order;
- (i) to report to, meet with and discuss with such affected Persons (as defined below) as the Receiver deems appropriate on all matters relating to the Additional Properties and the receivership, and to share information, subject to such terms as to confidentiality as the Receiver deems advisable;
- (j) to conduct examinations under oath of any Person concerning the management of the Additional Properties; and

- (k) to take any steps reasonably incidental to the exercise of these powers or the performance of any statutory obligations.

and in each case where the Receiver takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other Persons (as defined below) and without interference from any other Person.

13. THIS COURT ORDERS that all funds, monies, cheques, instruments, and other forms of payments received or collected, from and after the making of this Order, from any source whatsoever, including without limitation the collection of rents paid by tenants of the Additional Properties and the collection of any accounts receivable of the Debtors in whole or part, whether in existence on the date of the Order or hereafter coming into existence, shall be deposited into new property-specific accounts (the "**Segregated Accounts**") to be opened by the Receiver immediately. The Segregated Accounts shall be segregated such that all receipts in respect of a property shall be deposited into the Segregated Account opened in respect of such property and all permitted disbursements (the "**Permitted Disbursements**") in respect of such property shall be withdrawn therefrom, if sufficient funds are available. Permitted Disbursements shall mean, in relation to the property in respect of which a Segregated Account has been opened, realty taxes, utilities, payroll, insurance, maintenance expenses, other reasonable property-specific expenses and business expenses associated with such property. The Receiver shall have sole signing authority over the Segregated Accounts.

14. THIS COURT ORDERS that paragraphs 4 to 19 of the Order of Justice Penny dated March 18, 2019 herein shall apply with respect to the Additional Properties, in the same manner as they apply with respect to the Property (as that term is defined in that order).



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

JUN 10 2019

PER / PAR:



Schedule A

Form of Receiver's Certificate

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

RECEIVER'S CERTIFICATE

RECITALS

A. Pursuant to an Order of the Honourable Mr. Justice Penny of the Ontario Superior Court of Justice (the "Court") dated March 18, 2019, A. Farber & Partners Inc. was appointed as the receiver (the "Receiver") without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities (the "**Debtors**").

B. Pursuant to an Order of the Court dated June 7, 2019, the Court approved the agreement of purchase and sale made as of May 15, 2019 (the "**Sale Agreement**") between the Receiver

and Robert Whitcher (the "**Purchaser**") and provided for the vesting in the Purchaser of the Debtors right, title and interest in and to the Purchased Asset, which vesting is to be effective with respect to the Purchased Asset upon the delivery by the Receiver to the Purchaser of a certificate confirming (i) the payment by the Purchaser of the Purchase Price for the Purchased Asset; (ii) that the conditions to Closing as set out in Schedules A & B of the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and (iii) the Sale Transaction has been completed to the satisfaction of the Receiver.

C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Sale Agreement.

THE RECEIVER CERTIFIES the following:

1. The Purchaser has paid and the Receiver has received the Purchase Price for the Purchased Asset payable on the Closing Date pursuant to the Sale Agreement;
2. The conditions to Closing as set out in Schedules A & B of the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and
3. The Sale Transaction has been completed to the satisfaction of the Receiver.
4. This Certificate was delivered by the Receiver at _____ [TIME] on _____ [DATE].

**A. FARBER & PARTNERS INC. IN ITS
CAPACITY AS COURT APPOINTED
INTERIM RECEIVER OF HUTCHENS ET
AL. AND NOT IN ITS PERSONAL OR
CORPORATE CAPACITY.**

Per: _____

Name:

Title:

SCHEDULE B**Purchased Asset**

42 CLEMOW AVENUE, CITY OF GREATER SUDBURY, P3C 3H3, PCL 7614 SEC SES, LT 278
PL M128 MCKIM (P.I.N. 73588-0383 (LT))

SCHEDULE C**Encumbrances to be deleted and expunged from title to the Real Property**

Encumbrances to be deleted as against the Real Property described as 42 CLEMOW AVENUE, CITY OF GREATER SUDBURY, P3C 3H3, PCL 7614 SEC SES, LT 278 PL M128 MCKIM (P.I.N. 73588-0383 (LT)):

- a) Instrument No. SD61982
- b) Instrument No. SD373443

SCHEDULE D

Additional Properties

	Property Address	Registered Owner	Legal Description of Real Property
1.	1573 Houston Avenue, Innisfill, Ontario	Tatiana Hutchens	LT 14 AND PT LT 15 PL 591 PT 2 51R37515 TOWN OF INNISFIL
2.	1760 Cross Street, Innisfille, Ontario	Tatiana Hutchens	LT 73 PL 881 INNISFIL; INNISFIL
3.	175 Hilda Avenue, Suite 1015, Thornhill, Ontario	Tatiana Hutchens	UNIT 15, LEVEL 10, YORK CONDOMINIUM PLAN NO. 102, PTS OF BLKS O, P & T PLAN 6955 AS DESCRIBED IN SCHEDULE A OF DECLARATION B364075. TWP OF YORK/NORTH YORK, CITY OF TORONTO
4.	131 Beecroft Avenue, Unit 62, Toronto, Ontario	Dina Brik	UNIT 62, LEVEL A, METROPOLITAN TORONTO CONDOMINIUM PLAN NO. 595, LOTS 462, 463, 464, 465, 466, 481, 482, 483, 484, 485 AND PARTS OF LOTS 461 AND 486 ON PLAN M407 AND PART OF BURNETT AVENUE ON SAID PLAN M407 AS DESCRIBED IN SCHEDULE 'A' OF DECLARATION B762963. TWP OF YORK/NORTH YORK, CITY OF TORONTO

STEVENSON *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

NAYMARK LAW
171 John Street, Suite 101
Toronto, ON M5T 1X3

Daniel Z. Naymark LSO#: 56889G
Tel: (416) 640-6078
Fax: (647) 660-5060

Terrence Liu LSO#: 64130M
Tel: (416) 640-2256
Fax: (647) 660-5060

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 5

Court File No.: CV-18-608271-00CL

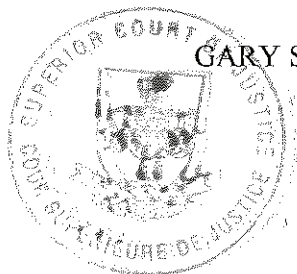
**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.
JUSTICE PENNY

)
)
)

FRIDAY, THE 5TH
DAY OF JULY, 2019

BETWEEN:



GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

APPLICATION UNDER Rule 14.05(3)(g) and (h) of *the Rules of Civil Procedure*

JUDGMENT

THIS APPLICATION made by the Applicants was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Application Record, the Consent to Judgment of the Respondents, and on hearing the submissions of counsel for the parties:

RECOGNITION AND ENFORCEMENT OF THE US JUDGMENTS

1. THIS COURT DECLARES that the judgments of the United States District Court for the Eastern District of Pennsylvania, entered on October 11, 2018 and December 19, 2018 in Case Civ. No. 18-692 in favour of the Applicants and against the Respondents Sandy Hutchens and Tanya Hutchens, in which damages were assessed against the Respondents Sandy Hutchens and Tanya Hutchens jointly and severally in the amount of US\$26,774,736.09 (the "US Judgments") are recognized and enforceable in Ontario.

2. THIS COURT ORDERS that the Respondents Sandy Hutchens and Tanya Hutchens pay to the Applicants an amount in Canadian dollars sufficient to purchase US\$26,774,736.09 at a bank in Ontario listed in Schedule I to the *Bank Act*, R.S.C. 1991, c. 46 at the close of business on the first day on which the bank quotes a Canadian dollar rate for purchase of U.S. dollars before the day payment of the obligation is received by the Applicants.

RECEIVERSHIP CONTINUED

3. THIS COURT ORDERS that the Orders dated March 18, 2019 (the "March 18 Order") and June 7, 2019 (the "June 7 Order") continuing and expanding the appointment of A. Farber & Partners Inc. as Receiver, without security, of all of the assets, undertakings and properties, including the real property listed in Schedule "B" to the March 18 Order and Schedule "D" to the June 7 Order, of the Debtors (as defined in the March 18 Order), including all proceeds thereof (the "Property"), are hereby continued on the terms set out in the March 18 Order and June 7

Order, except for the Receiver's powers which are expanded as set out below in paragraph 4, until further order of this Court.

RECEIVER'S POWERS

4. THIS COURT ORDERS that the Receiver is hereby empowered and authorized, but not obligated, to act at once in respect of the Property and, without in any way limiting the generality of the foregoing, the Receiver is hereby expressly empowered and authorized to do any of the following where the Receiver considers it necessary or desirable:

- (a) to investigate and monitor the Debtors' affairs and the Property;
- (b) to review and have access to any and all financial information pertaining to the Debtors and the Property, including bank statements, financial records and accounts;
- (c) to demand access to additional documents as it sees fit;
- (d) to take possession of and exercise control over the real property listed in Rows 1-13 and 16-20 of Schedule "B" to the March 18 Order and Schedule "D" to the June 7 Order (hereinafter "the Income Producing Property") and any and all proceeds, receipts and disbursements arising out of or from the Income Producing Property;
- (e) to receive, preserve, and protect the Income Producing Property, or any part or parts thereof, including, but not limited to, the changing of locks and security codes, the engaging of independent security personnel, the taking of physical

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inventories and the placement of such insurance coverage as may be necessary or desirable;

- (f) to manage, operate, and carry on the business of the Debtors with respect to the Income Producing Property, including the powers to enter into any agreements, incur any obligations in the ordinary course of business, cease to carry on all or any part of the business, or cease to perform any contracts of the Debtor;
- (g) to receive all revenues generated by the Income Producing Property, including without limitation any rents paid by tenants thereof;
- (h) to engage consultants, appraisers, agents, experts, auditors, accountants, managers, counsel and such other persons from time to time and on whatever basis, including on a temporary basis, to assist with the exercise of the Receiver's powers and duties, including without limitation those conferred by this Order;
- (i) to report to, meet with and discuss with such affected Persons (as defined below) as the Receiver deems appropriate on all matters relating to the Property and the receivership, and to share information, subject to such terms as to confidentiality as the Receiver deems advisable;
- (j) to conduct examinations under oath of any Person concerning the management of known assets of the Debtors and the existence of any other assets;
- (k) to purchase or lease such machinery, equipment, inventories, supplies, premises or other assets to continue the business of the Debtors or any part or parts thereof;

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- (l) to receive and collect all monies and accounts now owed or hereafter owing to the Debtors and to exercise all remedies of the Debtors in collecting such monies, including, without limitation, to enforce any security held by the Debtors;
- (m) to settle, extend or compromise any indebtedness owing to the Debtors;
- (n) to execute, assign, issue and endorse documents of whatever nature in respect of any of the Property, whether in the Receiver's name or in the name and on behalf of the Debtors, for any purpose pursuant to this Order;
- (o) to market any or all of the Property, including advertising and soliciting offers in respect of the Property or any part or parts thereof and negotiating such terms and conditions of sale as the Receiver in its discretion may deem appropriate;
- (p) to sell, convey, transfer, lease or assign the Property or any part or parts thereof out of the ordinary course of business,
 - (i) without the approval of this Court in respect of any transaction not exceeding \$250,000, provided that the aggregate consideration for all such transactions does not exceed \$500,000; and
 - (ii) with the approval of this Court in respect of any transaction in which the purchase price or the aggregate purchase price exceeds the applicable amount set out in the preceding clause;

and in each such case notice under subsection 63(4) of the Ontario *Personal Property Security Act*, or section 31 of the Ontario *Mortgages Act*, as the case

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may be, shall not be required, and in each case the Ontario *Bulk Sales Act* shall not apply.

- (q) to apply for any vesting order or other orders necessary to convey the Property or any part or parts thereof to a purchaser or purchasers thereof, free and clear of any liens or encumbrances affecting such Property;
- (r) to report to, meet with and discuss with such affected Persons (as defined below) as the Receiver deems appropriate on all matters relating to the Property and the receivership, and to share information, subject to such terms as to confidentiality as the Receiver deems advisable;
- (s) to register a copy of this Order and any other Orders in respect of the Property against title to any of the Property;
- (t) to apply for any permits, licences, approvals or permissions as may be required by any governmental authority and any renewals thereof for and on behalf of and, if thought desirable by the Receiver, in the name of the Debtors;
- (u) to enter into agreements with any trustee in bankruptcy appointed in respect of the Debtors, including, without limiting the generality of the foregoing, the ability to enter into occupation agreements for any property owned or leased by the Debtors;
- (v) to exercise any shareholder, partnership, joint venture or other rights which the Debtors may have; and

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- (w) to take any steps reasonably incidental to the exercise of these powers or the performance of any statutory obligations.

and in each case where the Receiver takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other Persons (as defined below), including the Debtor, and without interference from any other Person.

STAY

5. THIS COURT ORDERS that paragraphs 2, 4(m), 4(o), 4(p), 4(q) and 4(v) of this Order are hereby stayed until fourteen (14) days after a decision is rendered by the United States Court of Appeals for the Third Circuit on the Respondents' appeals from the US Judgments in C.A. No. 19-1258 and C.A. No. 19-1047 (the "Stay Period"). For greater certainty, this stay will automatically terminate upon the expiry of the Stay Period, regardless of the outcome of the appeals, unless the stay is extended in accordance with paragraph 6 below.

6. THIS COURT ORDERS that the Respondents may seek an extension of the stay ordered in paragraph 5 during the Stay Period, and if an extension of the stay is not granted during the Stay Period or at such other hearing date as may be scheduled by a Commercial Court Judge at a 9:30 hearing held during the Stay Period, the Applicants shall be at liberty to obtain an order lifting the stay, at a chambers appointment, and without notice to the Respondents, if the Applicants deem it necessary to obtain such an order.

7. THIS COURT ORDERS that nothing in this Order limits or in any way modifies the Order of April 25, 2019 (the "April 25 Order") regarding sales of the Saleable Properties (as defined in the April 25 Order). For greater certainty, those sales may proceed pursuant to the terms of the April 25 Order and are not affected by the stay ordered in paragraph 5 hereto.

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8. THIS COURT ORDERS that nothing in this Order limits the right of the Receiver to seek the parties' consent or the court's approval to sell the Additional Saleable Properties (as defined in the Receiver's Notice of Motion dated May 31, 2019) or other properties, and to proceed with such sales.

NO DETERMINATION OF PROPERTY RIGHTS

9. THIS COURT ORDERS that nothing in this Order shall be construed as a determination of ownership of any particular property and that this Order is granted without prejudice to the right of any party to dispute whether (a) a particular asset is owned by the Respondents or (b) whether a particular asset is exigible for the purpose of satisfying the judgment debt owed by the Respondents to the Applicants.

FREEZING, LIVING EXPENSES, LEGAL EXPENSES

10. THIS COURT ORDERS that the Respondents and the entities referred to at Schedule "B" of the April 25 Order (collectively, the "Debtors"), and their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this injunction, are restrained from directly or indirectly, by any means whatsoever:

- (a) selling, removing, dissipating, alienating, transferring, assigning, encumbering, or similarly dealing with any assets of the Debtors, wherever situate;
- (b) instructing, requesting, counselling, demanding, or encouraging any other person to do so; and

- (c) facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which is to do so.

11. THIS COURT ORDERS that paragraph 10 applies to all of the Debtors' assets whether or not they are in their own names and whether they are solely or jointly owned. For the purpose of this order, the Debtors' assets include any asset which any one of them has the power, directly or indirectly, to dispose of or deal with as if it were his own. A Debtor is to be regarded as having such power if a third party holds or controls the assets in accordance with the Debtor's direct or indirect instructions.

12. THIS COURT ORDERS that notwithstanding paragraphs 10 and 11 of this Order, the Receiver shall:

- (a) pay to the Debtors reasonable amounts from the funds in the Receiver's possession as a result of the Appointment Orders or this Order, subject to the availability of such funds for spending on ordinary living expenses and legal advice and representation, and excluding the following funds from the proceeds of the Saleable Properties noted, which funds shall not be paid to the Debtors without the express written consent of the London Plaintiffs (as defined in the April 25 Order) or further Order of the Court obtained on notice to the London Plaintiffs:

- (i) 33 Theodore Place, Vaughan, Ontario – \$379,968;
- (ii) 42 Clemow Avenue, Sudbury, Ontario – \$615,000; and
- (iii) 1779 Cross Street, Innisfil, Ontario – \$150,626.22;

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- (b) authorize the Debtors to spend reasonable amounts from funds in their power, possession or control otherwise subject to paragraph 3 above on ordinary living expenses and legal advice and representation, and in either case the Debtors shall be entitled to spend such funds on ordinary living expenses and legal advice and representation only.

13. THIS COURT ORDERS that the Receiver shall provide notice to the Applicants and the London Plaintiffs of any amount to be paid or authorized to a Debtor pursuant to paragraph 12 above at least 24 hours prior to making such a payment.

14. THIS COURT ORDERS that if the Receiver and any Debtor cannot agree on reasonable amounts to be paid pursuant to paragraph 12 above, or if the Applicants and/or the London Plaintiffs dispute the reasonableness of any amount proposed to be paid, any of the Receiver, the Debtors, the Applicants, or the London Plaintiffs may seek directions from this Court as to the reasonable quantum to be paid on at least 24 hours' notice to the others.


COSTS

15. THIS COURT ORDERS that the Respondents shall pay the Applicants' costs of this Application in an amount to be agreed or fixed by this Court.



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

JUL 05 2019

PER / PAR: 

GARY STEVENS et al.	-and-	SANDY HUTCHENS et al.
Applicants		Respondents

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

PROCEEDING COMMENCED AT
TORONTO

JUDGMENT

**NECPAL LITIGATION PROFESSIONAL
CORPORATION**
171 John Street, Suite 101
Toronto, Ontario, M5T 1X3

Justin Nepal LSO#: 56126J
justin@necpal.com

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Fax: 1.866.495.8389

Lawyers for the Applicants

Appendix 6



Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

)

MONDAY, THE 19TH

MR. JUSTICE PENNY

)

DAY OF AUGUST, 2019

)

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

THIS MOTION, made by A. Farber & Partners Inc. as Receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28, March 18, 2019, and June 7, 2019 and Judgment in this proceeding dated July 5, 2019 (together, the “**Appointment Orders**”), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record including the Fourth Report of the Receiver and on hearing the submissions of counsel for the Receiver, and on being advised that no party and no member of the Service List in this proceeding has opposed the relief herein:

1. THIS COURT ORDERS that the time for service of the Motion Record and the Motion is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.

AUTHORIZATION OF SALE TRANSACTIONS

2. THIS COURT ORDERS AND DECLARES that, subject to paragraph 10 below, the sale transaction (the **"1790 Cross Transaction"**) contemplated by an agreement of purchase and sale between the Receiver and Ryan Graham (the **"1790 Cross Purchaser"**) on June 28, 2019 (the **"1790 Cross Sale Agreement"**) and appended to the Fourth Report of the Receiver dated August 13, 2019, and vesting in the 1790 Cross Purchaser the Debtors' rights, title and interests in and to the asset respectively described in the 1790 Cross Sale Agreement (the **"1790 Cross Asset"**), is hereby approved, and the execution of the 1790 Cross Sale Agreement by the Receiver is hereby authorized and approved, with such minor amendments as the Receiver may deem necessary. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the 1790 Cross Sale Transaction and for the conveyance of the 1790 Cross Asset to the 1790 Cross Purchaser.

3. THIS COURT ORDERS AND DECLARES that, subject to paragraph 10 below, the sale transaction (the **"1889 Simcoe Transaction"**) contemplated by an agreement of purchase and sale between the Receiver and Rosanna Marrocco (the **"1889 Simcoe Purchaser"**) on June 26, 2019 (the **"1790 Cross Sale Agreement"**) and appended to the Fourth Report of the Receiver dated August 13, 2019, and vesting in the 1889 Simcoe Purchaser the Debtors' rights, title and interests in and to the asset respectively described in the 1889 Simcoe Sale Agreement (the **"1889 Simcoe Asset"**), is hereby approved, and the execution of the 1889 Simcoe Sale Agreement by the Receiver is hereby authorized and approved, with such minor amendments as the Receiver may deem necessary. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the 1889 Simcoe Sale Transaction and for the conveyance of the 1889 Simcoe Asset to the 1889 Simcoe Purchaser.

4. THIS COURT ORDERS AND DECLARES that, subject to paragraph 10 below, the sale transaction (the **"1779 Cross Transaction"**, collectively with the 1889 Simcoe Sale Transaction and the 1790 Cross Sale Transaction, the **"Sale Transactions"**) contemplated by an agreement of purchase and sale between the Receiver and Marilyn Palermo (the **"1779 Cross Purchaser"**, collectively with the 1889 Simcoe Purchaser and the 1790 Cross Purchaser, the **"Purchasers"**)

on June 28, 2019 and amended July 9, 2019 (the “**1779 Cross Sale Agreement**”, collectively with the 1889 Simcoe Sale Agreement and the 1790 Cross Sale Agreement, the “**Sale Agreements**”) and appended to the Fourth Report of the Receiver dated August 13, 2019, and vesting in the 1779 Cross Purchaser the Debtors’ rights, title and interests in and to the asset respectively described in the 1779 Cross Sale Agreement (the “**1779 Cross Asset**”, collectively with the 1790 Cross Asset and the 1889 Simcoe Asset, the “**Purchased Assets**”), is hereby approved, and the execution of the 1779 Cross Sale Agreement by the Receiver is hereby authorized and approved, with such minor amendments as the Receiver may deem necessary. The Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the completion of the 1779 Cross Sale Transaction and for the conveyance of the 1779 Cross Asset to the 1779 Cross Purchaser.

5. THIS COURT ORDERS AND DECLARES that upon the delivery of a Receiver’s certificate substantially in the form attached as Schedule A hereto (the “**Receiver's Certificate**”) to the respective Purchasers, all of the Debtors’ right, title and interest in and to the respective Purchased Assets described in the Sale Agreements and listed on Schedule B hereto shall vest absolutely in the Purchaser, free and clear of and from any and all security interests (whether contractual, statutory, or otherwise), hypothecs, mortgages, trusts or deemed trusts (whether contractual, statutory, or otherwise), liens, executions, levies, charges, or other financial or monetary claims, whether or not they have attached or been perfected, registered or filed and whether secured, unsecured or otherwise (collectively, the “**Claims**”) including, without limiting the generality of the foregoing: (i) any encumbrances or charges created by the Receivership Orders; (ii) all charges, security interests or claims evidenced by registrations pursuant to the *Personal Property Security Act* (Ontario) or any other personal property registry system; and (iii) those Claims listed on Schedule C hereto (the “**Encumbrances**”, which term shall not include the permitted encumbrances, easements and restrictive covenants listed on Schedule D) and, for greater certainty, this Court orders that all of the Encumbrances affecting or relating to the Purchased Assets are hereby expunged and discharged as against the Purchased Assets.

6. THIS COURT ORDERS that upon the registration in the Simcoe Land Registry (No. 51) Land Registry Office of an Application for Vesting Order in the form prescribed by the *Land Titles Act*, the Land Registrar is hereby directed to enter the Purchasers as the owners of the subject real properties as identified in Schedule B hereto (the “**Real Property**”) in fee simple,

and is hereby directed to delete and expunge from title to the Real Property all of the Claims listed in Schedule C hereto.

7. THIS COURT ORDERS that for the purposes of determining the nature and priority of any Claims, the net proceeds from the sales of the Purchased Assets shall stand in the place and stead of the Purchased Assets, and that from and after the delivery of the Receiver's Certificate for a Purchased Asset all Claims and Encumbrances shall attach to the net proceeds from the sale of that Purchased Asset with the same priority as they had with respect to the Purchased Asset immediately prior to the sale, as if the Purchased Asset had not been sold and remained in the possession or control of the person having that possession or control immediately prior to the sale.

8. THIS COURT ORDERS AND DIRECTS the Receiver to file with the Court a copy of the Receiver's Certificate, forthwith after delivery thereof.

9. THIS COURT ORDERS that, notwithstanding:

- (a) the pendency of these proceedings;
- (b) any applications for a bankruptcy order now or hereafter issued pursuant to the *Bankruptcy and Insolvency Act* (Canada) in respect of the Debtors and any bankruptcy order issued pursuant to any such applications; and
- (c) any assignment in bankruptcy made in respect of the Debtors;

the vesting of the Purchased Assets in the Purchasers pursuant to this Order shall be binding on any trustee in bankruptcy that has been or may from time to time be appointed in respect of the Debtors and shall not be void or voidable by creditors of the Debtors, nor shall it constitute nor be deemed to be a fraudulent preference, assignment, fraudulent conveyance, transfer at undervalue, or other reviewable transaction under the *Bankruptcy and Insolvency Act* (Canada) or any other applicable federal or provincial legislation, nor shall it constitute oppressive or unfairly prejudicial conduct pursuant to any applicable federal or provincial legislation.

10. THIS COURT ORDERS that if and only if the Respondent, Sandy Hutchens ("Sandy"), obtains an appraisal report from a duly certified appraiser on or before August 23, 2019

indicating that the purchase price provided for in a Sale Agreement is below eighty-five percent (85%) of the appraised value of the subject Purchased Asset, or in the case of an appraised range of values, below eight-five percent (85%) of the lowest value in the appraised range, then:

- The Respondent*
- (a) ~~Sandy~~ shall be entitled to oppose the approval of any such Sale Transaction by delivering responding materials to the motion herein no later than August 27, 2019; and
- The Respondent*
- (b) If ~~Sandy~~ opposes the approval of one or more Sale Transactions in accordance with subparagraph (a), then the Receiver shall not act on paragraphs 2 to 9 of this Order insofar as they apply to such Sale Transactions only pending further order of the Court, and the Receiver's motion for approval of such Sale Transactions shall be determined as soon as practicable and as if Sandy had opposed it in the first instance.

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.

SEALING CONFIDENTIAL APPENDICES

12. THIS COURT ORDERS that Confidential Appendices to the Fourth Report be and are hereby sealed unless and until Receiver files a certificate confirming that the Sale Transactions have closed.

DISTRIBUTION OF PROCEEDS FROM SALE TRANSACTIONS

13. THIS COURT ORDERS that the following distributions from the proceeds of the 1790 Cross Transaction are hereby authorized and approved:

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- (a) \$3,250.86, more or less, to the Town of Innisfil, in payment of outstanding property tax levies payable in respect of the 1790 Cross Asset; and
- (b) \$80,046.89 to Meridian Credit Union Limited ("**Meridian**") in payment of its loan to the Respondent and Debtor, Tanya Hutchens aka Tatiana Hutchens ("**Tanya**"), secured by the 1790 Cross Asset.

14. THIS COURT ORDERS that the following distributions from the proceeds of the 1889 Simcoe Transaction are hereby authorized and approved.

- (a) \$4,718.75, more or less, to the Town of Innisfil in payment of outstanding property tax levies payable in respect of the 1889 Simcoe Asset; and
- (b) \$200,587.12, more or less, to Meridian in payment of its loan to Tanya secured by the 1889 Simcoe Asset.

15. THIS COURT ORDERS that the following distributions from the proceeds of the 1779 Cross Transaction are hereby authorized and approved.

- (a) \$5,938.14, more or less, to the Town of Innisfil, in payment of outstanding property tax levies payable in respect of the 1779 Cross Asset; and
- (b) \$301,175.13 to Meridian in payment of its loan to Tanya secured by the 1779 Cross Asset.

16. THIS COURT ORDERS that the following distributions from the proceeds of any one or more of the Sale Transactions are hereby authorized and approved:

- (a) \$200,000, more or less, to Hillmount Capital Inc. in repayment of Receiver's borrowings authorized by the Receivership Orders; and
- (b) \$20,688.70, more or less, to Meridian in payment of its legal fees relating to its loans secured by the Purchased Assets.

17. THIS COURT ORDERS that the Receiver is hereby authorized and directed to take such additional steps and execute such additional documents as may be necessary or desirable for the distributions authorized at paragraphs 13 to 16 above.

WRIT OF POSSESSION

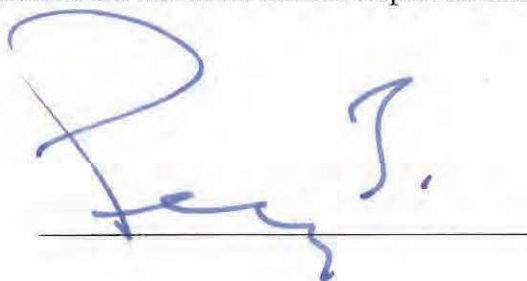
18. THIS COURT ORDERS that Sandy shall vacate the 1779 Cross Asset by no later than September 30, 2019.

19. THIS COURT ORDERS that the Receiver shall exercise its right pursuant to the 1779 Cross Sale Agreement to extend the closing of the 1779 Cross Transaction to a date no earlier than October 1, 2019.

20. THIS COURT ORDERS that the Receiver be and is hereby granted leave to issue a writ of possession in respect of the 1779 Cross Asset in the form attached as Schedule "E" hereto, which writ the Receiver shall not execute prior to October 1, 2019.

APPROVAL OF RECEIVER'S ACTIVITIES

21. THIS COURT ORDERS that the Receiver's activities set out in its Fourth Report be and are hereby approved.



Schedule A

Form of Receiver's Certificate

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

RECEIVER'S CERTIFICATE

RECITALS

A. Pursuant to an Order of the Honourable Mr. Justice Penny of the Ontario Superior Court of Justice (the "Court") dated March 18, 2019, and continued by a Judgment of the Court dated July 5, 2019, A. Farber & Partners Inc. was appointed as the receiver (the "Receiver") without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities (the "**Debtors**").

- 9 -

B. Pursuant to an Order of the Court dated _____, 2019, the Court approved the agreement of purchase and sale made as of _____, 2019 (the "**Sale Agreement**") between the Receiver and _____ (the "**Purchaser**") and provided for the vesting in the Purchaser of the Debtors' right, title and interest in and to the Purchased Asset, which vesting is to be effective with respect to the Purchased Asset upon the delivery by the Receiver to the Purchaser of a certificate confirming (i) the payment by the Purchaser of the Purchase Price for the Purchased Asset; (ii) that the conditions to Closing as set out in Schedules A & B of the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and (iii) the Sale Transaction has been completed to the satisfaction of the Receiver.

C. Unless otherwise indicated herein, terms with initial capitals have the meanings set out in the Sale Agreement.

THE RECEIVER CERTIFIES the following:

1. The Purchaser has paid and the Receiver has received the Purchase Price for the Purchased Asset payable on the Closing Date pursuant to the Sale Agreement;
2. The conditions to Closing as set out in Schedule(s) _____ of the Sale Agreement have been satisfied or waived by the Receiver and the Purchaser; and
3. The Sale Transaction has been completed to the satisfaction of the Receiver.
4. This Certificate was delivered by the Receiver at _____ [TIME] on _____ [DATE].

**A. FARBER & PARTNERS INC. IN ITS
CAPACITY AS COURT APPOINTED
INTERIM RECEIVER OF HUTCHENS ET
AL. AND NOT IN ITS PERSONAL OR
CORPORATE CAPACITY.**

Per: _____

Name: _____

Title: _____

SCHEDULE B**Purchased Assets**

<u>Municipal Address</u>	<u>Legal Description</u>
1790 Cross Street Innisfil, Ontario	LOT 1, PLAN 978, INNISFIL PIN 58069 – 0103 (LT)
1889 Simcoe Boulevard Innisfil, Ontario	LT 31, PL 657; INNISFIL being all of PIN (58072-0299 (LT))
1779 Cross Street Innisfil, Ontario	PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL

SCHEDULE C

Encumbrances to be deleted and expunged from title to the Real Property

Encumbrances to be deleted as against the Real Property described as 1790 CROSS STREET, TOWN OF INNISFIL, LOT 1, PLAN 978, INNISFIL PIN 58069 – 0103 (LT):

- a) Instrument No. SC962560
- b) Instrument No. SC976633
- c) Instrument No. SC976634

Encumbrances to be deleted as against the Real Property described as 1889 SIMCOE BOULEVARD, TOWN OF INNISFIL, LT 31, PL 657; INNISFIL, BEING ALL OF PIN (58072-0299 (LT)):

- a) Instrument No. SC1049631
- b) Instrument No. SC1475977

Encumbrances to be deleted as against the Real Property described as 1779 CROSS STREET, TOWN OF INNISFIL, PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL:

- a) Instrument No. SC1049629
- b) Instrument No. SC1475977

SCHEDULE D**Permitted Encumbrances, Easements and Restrictive Covenants
related to the Real Property (unaffected by the Vesting Order)**

Encumbrances to be deleted as against the Real Property described as 1790 CROSS STREET, TOWN OF INNISFIL, LOT 1, PLAN 978, INNISFIL PIN 58069 – 0103 (LT):

d) Instrument No. SC812245

e) Instrument No. SC838320

Encumbrances to be deleted as against the Real Property described as 1889 SIMCOE BOULEVARD, TOWN OF INNISFIL, LT 31, PL 657; INNISFIL, BEING ALL OF PIN (58072-0299 (LT)):

c) None

Encumbrances to be deleted as against the Real Property described as 1779 CROSS STREET, TOWN OF INNISFIL, PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL:

c) None

SCHEDULE E

Form of Writ of Possession

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

WRIT OF POSSESSION

TO the Sheriff of the County of Simcoe

Under an order of this court made on _____ (date) in favour of A. Farber & Partners Inc. as Receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28, March 18, 2019, and June 7, 2019 and Judgment in this proceeding dated July 5, 2019, YOU ARE DIRECTED to enter and take possession of the following land and premises in your county or district:

The property municipally known as 1779 Cross Street, Town of Innisfil, and legally described as PIN #58069-0150 (LT); PT N 1/2 LT 25 CON 6 INNISFIL AS IN R01093173; ST R01093173; INNISFIL.

AND YOU ARE DIRECTED to give possession of the above land and premises without delay to A. Farber & Partners Inc. as Receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28, March 18, 2019, and June 7, 2019 and Judgment in this proceeding dated July 5, 2019.

Date Issued by

Local registrar

Address of

court office

.....

Renewed by order made on _____ (date).

.....

Local registrar

STEVENSON *et al.*
Applicants

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

NAYMARK LAW
171 John Street, Suite 101
Toronto, ON M5T 1X3

Daniel Z. Naymark LSO#: 56889G
Tel: (416) 640-6078
Fax: (647) 660-5060

Terrence Liu LSO#: 64130M
Tel: (416) 640-2256
Fax: (647) 660-5060

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 7



Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

)

MONDAY, THE 19TH

MR. JUSTICE PENNY

)

DAY OF AUGUST, 2019

)

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

– and –

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

THIS MOTION, made by A. Farber & Partners Inc. as Receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28, March 18, 2019, and June 7, 2019 and Judgment in this proceeding dated July 5, 2019 (together, the “**Appointment Orders**”) was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Receiver and on hearing the submissions of counsel for the Receiver, and on being advised of the Consent of the Applicants, the Respondents, and the Receiver, and on being advised that no other member of the Service List in this proceeding has opposed the relief herein:

1. THIS COURT ORDERS that in addition to the Receiver’s powers and authorizations set out in the Appointment Orders, the Receiver is hereby empowered and authorized, but not

obligated, to act as follows in respect of the properties listed in Schedule "A" hereto (the "**Saleable Properties**"):

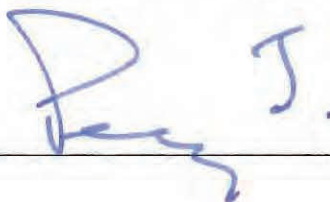
- (a) to market any or all of the Saleable Properties, including advertising and soliciting offers in respect of the Property or any part or parts thereof and negotiating such terms and conditions of sale as the Receiver in its discretion may deem appropriate;
- (b) to sell, convey, transfer, lease or assign the Saleable Properties or any part or parts thereof out of the ordinary course of business,
 - (i) without the approval of this Court in respect of any transaction not exceeding \$250,000, provided that the aggregate consideration for all such transactions does not exceed \$500,000; and
 - (ii) with the approval of this Court in respect of any transaction in which the purchase price or the aggregate purchase price exceeds the applicable amount set out in the preceding clause;

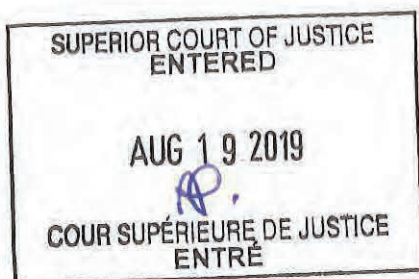
and in each such case notice under subsection 63(4) of the Ontario *Personal Property Security Act* or section 31 of the Ontario *Mortgages Act* shall not be required; and

- (c) to apply for any vesting order or other orders necessary to convey the Saleable Properties or any part or parts thereof to a purchaser or purchasers thereof, free and clear of any liens or encumbrances affecting such Saleable Property.

2. THIS COURT ORDERS that the Receiver shall be authorized and permitted to apply any proceeds of sale of the Saleable Properties, or either of them, to acquire an assignment of the mortgages registered by Meridian Credit Union against title to other properties referenced in the Appointment Orders and of the underlying debt obligations. For greater clarity, nothing herein shall affect the priority of Meridian Credit Union's mortgages as against other secured creditors, including but not limited to persons secured by the Receiver's Charge or Receiver's Borrowing Charge registered pursuant to (and as defined in) the Orders herein dated February 28, 2019 and March 18, 2019.

3. THIS COURT ORDERS that paragraph 3 of the Order herein dated March 18, 2019 shall apply to the proceeds of sale of any Saleable Property, net of closing expenses, including rights acquired from Meridian Credit Union using such proceeds of sale.
4. THIS COURT ORDERS that this Order is effective *nunc pro tunc* as of August 1, 2019.





SCHEDULE "A"
SALEABLE PROPERTIES

	Property Address	Registered Owner	Legal Description of Real Property
1.	1479 Maple Road, Innisfil, Ontario	Tatiana Hutchens	Lot 6, Plan 642, Innisfill, PIN: 58068-0102 (LT)
2.	1573 Houston Avenue, Innisfil, Ontario	Tatiana Hutchens	LT 14 and PT LT 15 PL 591 PT 2 51R37515; Town of Innisfil, PIN: 58070-0327 (LT)

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

NAYMARK LAW
171 John Street, Suite 101
Toronto, ON M5T 1X3

Daniel Z. Naymark LSO#: 56889G
Tel: (416) 640-6078
Fax: (647) 660-5060

Terrence Liu LSO#: 64130M
Tel: (416) 640-2256
Fax: (647) 660-5060

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 8

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)	TUESDAY, THE 3 RD
)	
MR. JUSTICE PENNY)	DAY OF SEPTEMBER, 2019

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

— and —



SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

ORDER

THIS MOTION, made by A. Farber & Partners Inc. as Receiver (the “**Receiver**”), without security, of all of the assets, undertakings and properties of the Respondents and certain additional entities pursuant to Orders in this proceeding dated February 28, March 18, 2019, and June 7, 2019 and Judgment in this proceeding dated July 5, 2019 (together, the “**Appointment Orders**”), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record including the Fourth Report of the Receiver and on hearing the submissions of counsel for the Receiver, and on being advised that no party and no member of the Service List in this proceeding has opposed the relief herein:

1. THIS COURT ORDERS that the fees and disbursements of the Receiver up to June 30, 2019, as set out in the Fourth Report, are hereby approved and the Receiver is authorized to pay such fees and disbursements out of the property of the Debtors.
2. THIS COURT ORDERS that the fees and disbursements of counsel for the Receiver, Naymark Law, up to July 31, 2019, as set out in the Fourth Report, are hereby approved and the Receiver is authorized to pay such fees and disbursements out of the property of the Debtors.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:
SEP 03 2019

PER / PAR: 4

STEVENS *et al.*
Applicants

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

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Fax: (647) 660-5060

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 9

May 15, 2019

Farber
150 York Street, Suite 1600
Toronto, ON M5H 3S5


Attention: Paul Denton

Dear Sirs:

RE: Loan of \$750,000 (the "Loan") secured by a Receiver's Certificate (the "Receiver's Certificate") issued pursuant to the order of Justice Penny of the Ontario Superior Court of Justice dated March 18th, 2019 (the "March 18 Order") and attached to this Commitment as Schedule "A"

We are pleased to advise that, based upon and subject to the accuracy of information furnished to Hillmount Capital Inc., your request for the Loan has been approved subject to the terms and conditions set out below and all legal matters and documentation being completed to the satisfaction of Hillmount Capital Inc. and its solicitor.

LENDER:	Hillmount Capital Inc. (and/or its assignees) (the " Lender ")
BORROWER:	A. Farber & Partners Inc. in its capacity as Receiver of Sandy Hutchens, also known as Sandy Craig Hutchens, also known as S. Craig Hutchens, also known as Craig Hutchens, also known as Moishe Alexander Ben Avrohom, also known as Moishe Alexander Ben Avraham, also known as Fred Merchant, also known as Alexander Macdonald, also known as Mathew Kovce, also known as Ed Ryan, and Tanya Hutchens, also known as Tatiana Hutchens, also known as Tatiana Brik, also known as Tanya Brik-Hutchens (the " Borrower ")
PRIORITY:	Receiver's Borrowings Charge in 2 nd priority on the Property (as defined in the March 18 Order and set out in Schedule B of the March 18 Order) pursuant to sections 18, 19, 20 and 21 of the March 18 Order in priority to any other Receiver Certificate to be issued
PROPERTY:	See Schedule "B" of the March 18 Order for list of properties
LOAN AMOUNT:	Up to \$750,000.00 (to be advanced in draws and through Receiver Certificates)
FEES:	Lender Origination Fee - \$15,000.00 (2.00%) Lender Legal Fees - TBD
INTEREST RATE & PAYMENT:	Interest shall be calculated and payable at the greater of 9.75% per annum or the posted RBC Prime Rate + 5.30% and payable in proportionate paydowns upon the sale of the Property.
AMORTIZATION:	Interest only
TERMS OF LOAN & PREPAYMENT PRIVILEGE:	The Loan will mature in 12 months from the date of the first advance. When not in default, the Borrower shall have the right to prepay the Loan at any time upon 10 days written notice.
ADVANCES:	The proceeds of this Loan shall be advanced less Lender fees and legal fees as set out below.
SECURITY:	1. Receiver's Borrowings Charge - Second charge on the Property described in Schedule B of the March 18 Order in the form of Receiver's Certificates up to a maximum of \$750,000 in accordance with Section 18 of the March 18 Order; and 2. Fire and liability insurance to be in place on the Property (evidence to be

Borrower Initials: 

ADDITIONAL
CONDITIONS AND
REPRESENTATIONS:

The advance of funds under the Loan is subject to the following conditions, all of which must be satisfactory to the Lender, and its solicitor, in its sole, unfettered and absolute discretion:

1. Written acceptance of this Commitment by the Borrower and attending to the lawful execution and delivery of this Commitment.
2. The Borrower acknowledges that the Lender's fees are earned upon the Borrower's acceptance of this Commitment and payable from the proceeds of the first advance.
3. It is hereby agreed by and between the Lender and the Borrower that any monies tendered in respect of the Receiver's Certificate or other payments due shall be paid by 1pm on the business day upon which they are due at the Lender's address. If received after that time (ie for computing interest), the monies will be deemed to be received the next business day.
4. Satisfactory review of fire and liability insurance to be in place on the Property
5. The Borrower is to provide a covenant on closing to the Lender that: (i) no Receiver's Certificates ranking, or purporting to rank, prior to or *pari passu* with the Receiver's Certificate issued as security for the Loan shall be issued by the Borrower to any person other than the Lender without the prior consent in writing of the Lender, which consent may be unreasonably withheld; and (ii) that the Borrower will provide the Lender with notice of any proceeding which could have an adverse effect on the Lender's Receiver's Certificate and/or the Receiver's Borrowings Charge.
6. The Borrower will give the Lender the first opportunity to fund further loans secured by Receiver Certificates prior to approaching other parties.
7. The Borrower shall not distribute funds to any creditors without the Lender's consent, save for the Receiver's Charge as contemplated by section 18 of the March 18 Order. The Borrower agrees not to make an application for payout of proceeds received, other than the Receiver's Charge, in priority to amounts owing to the Lender as contemplated in Section 18 of the Order, without the Lender's prior written consent.
8. The Borrower and Lender agree that the Receiver's Certificates will be repaid from the sale proceeds of the Property as set out in this section. The Borrower has been authorized and empowered to sell five of the Properties, and the Borrower and Lender anticipate repayment of the full amount of the Receiver's Certificates in accordance with the targets set out in column 1 of Schedule C, with such payments being made simultaneously with payment of the 1st mortgagees listed therein. In the event there are insufficient funds from the net sale proceeds to repay the Receiver's Certificates in full pursuant to Schedule C, the balance of the Receiver's Certificates must be repaid in full upon the sale of:
 - a. the 1479 Maple Street property; or
 - b. the remaining properties located in Sudbury (the "**Sudbury Properties**") if they are sold prior to the Maple Street Property.
9. The Lender shall have the right to charge for all reasonable costs and expenses incurred by the Lender in connection with this Loan, including reasonable legal fees and costs and costs and expenses incurred in enforcing Lender's rights under the Receiver's Certificate.
10. The Lender will require 5 business days written notice of a request for an advance. There will be a \$50.00 wiring fee and \$200.00 administration fee payable to the Lender for each advance/Receiver's Certificate.
11. Satisfactory review of this Commitment, the March 18 Order and the further Order of Justice Penny dated April 25, 2019 (the "**April 25 Order**") by the Lender's solicitor.

SCHEDULES
ATTACHED:

The following attached Schedules form a part of this Commitment:

SCHEDULE A – Court Order dated March 18, 2019
SCHEDULE B – Court Order dated April 25, 2019
SCHEDULE C – Summary of Properties

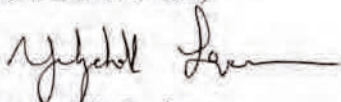
Borrower Initials: 

This Commitment may be executed in two or more counterparts and returned by facsimile or email, each of which counterparts will be deemed to be an original and all of which together shall be deemed to be one and the same instrument.

To confirm your agreement with the terms and conditions herein, please sign and return this letter as proof of acceptance to us prior to **5:00pm on May 16, 2019**.

Yours truly,

Hillmount Capital Inc.
(Lic. #10453 / 11925)


Per: Yitz Levinson
President

ACCEPTANCE

The Borrower hereby accepts this Commitment and confirms its agreement with all of the terms and conditions thereof, having either obtained independent legal advice or having been satisfied that legal advice is not required. The Lender Origination Fee is fully earned by the Lender upon acceptance of the terms of this Commitment. The Commitment Fee is due and payable upon the advance of funds hereunder or the date of the termination of the Commitment (unless such termination of the Commitment results from a default of the Lender). Regardless of whether the above conditions are met, or the Loan is advanced, upon signing this Commitment, the Borrower agrees that it is liable, save if the Lender is in default, for the Lender Origination Fee and all of the Lender's costs.

Accepted this 15th day of May, 2019.

Borrower



A Farber & Partners Inc.
in its capacity as Receiver of the Property
and not in its personal capacity

Receiver's Solicitor:

Name: DANIEL NAYMARK
Firm: NAYMARK LAW
Telephone: 416 640-6078

Borrower Initials: 

Schedule C

Court Approved Sales Process - Property Summary

	Receiver Certificate (Borrowing Charge) - Anticipated Paydown	1st Mortgages	2nd Mortgages	Reserve for London Plaintiffs Trust	Total	Lowest of Purview or Farber Estimate
33 Theodore Place, Thornhill, ON	\$ 350,000	\$ 534,746		\$ 379,968	\$ 1,264,714	\$ 1,520,000
1779 Cross Street, Innisfil	\$ 150,000	\$ 298,238		\$ 150,626	\$ 598,864	\$ 794,900
1790 Cross Street, Innisfil	\$ 150,000	\$ 86,745	\$ 80,750	\$ -	\$ 317,495	\$ 537,100
1889 Simcoe Blvd., Innisfil	\$ 50,000	\$ 203,161		\$ -	\$ 253,161	\$ 349,300
42 Clemow Avenue, Sudbury		\$ 78,000		\$ 615,000	\$ 693,000	\$ 133,400
1479 Maple Road, Innisfil (Note 1)		\$ 200,000			\$ 200,000	\$ 89,970
Total	\$ 700,000	\$ 1,400,890	\$ 80,750	\$ 1,145,594	\$ 3,327,234	\$ 3,424,670

Note 1: In the event there are insufficient proceeds to pay the Receiver's Certificates on the other properties listed above, the Receiver's Certificates are to be repaid from sale proceeds of the Maple Street property. Should the Sudbury Properties sell prior to the Maple Street property and there are sufficient proceeds to repay the Receiver's Certificates, Lender will accept same in lieu of repayment from sale proceeds of Maple Street.

Appendix 10

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

B E T W E E N:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

FOURTH REPORT OF THE RECEIVER

August 13, 2019

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I. INTRODUCTION AND PURPOSE OF THE FOURTH REPORT

1. On February 28, 2019, Justice Penny appointed A. Farber & Partners Inc. as interim receiver (the “**Receiver**”), without security, of all the assets undertakings and properties of Sandy Hutchens, Tanya Hutchens, and certain entities referred to in Schedule “A” of the (collectively, the “**Debtors**”), including certain real property (the “**Properties**”). A copy of Justice Penny’s order, dated February 28, 2019, is attached at **Appendix 1**.

2. On March 18, 2019, Justice Penny continued the Receiver’s appointment, expanded the list of Properties over which it extended, and expanded the Receiver’s powers to include control and management of certain of the Properties that produced rental income (the “**Income Producing Properties**”). A copy of the order of Justice Penny, dated March 18, 2019 (the “**March Order**”) is attached at **Appendix 2**.

3. On April 25, 2019, Justice Penny authorized and empowered the Receiver to sell five of the Properties (the “**Saleable Properties**”), and ordered a broader freezing of the Debtors’ assets subject to provisions for their living expenses and legal fees. A copy of Justice Penny’s April 25, 2019 order (the “**April Order**”) is attached at **Appendix 3**.

4. On June 7, 2019, Justice Penny further expanded the list of Properties over which the Receiver’s appointment is extended, approved the sale of a Saleable Property, vesting in the respective purchaser, and authorized the distribution of the sale proceeds. A copy of Justice Penny’s order, dated June 7, 2019 (the “**June Order**”) is attached at **Appendix 4**.

5. On July 5, 2019, Justice Penny issued a judgment, on consent, recognizing the judgments of the United States District Court for the Eastern District of Pennsylvania, entered on October 11, 2018 and December 19, 2018 in Case Civ. No. 18-692 in favour of the Applicants and against the

Respondents Sandy Hutchens (“**Sandy**”) and Tanya Hutchens (“**Tanya**”), in the amount of US\$26,774,736.09, owed jointly and severally, temporarily stayed enforcement, and continued the Receivership and the terms of the above orders. A copy of Justice Penny’s Judgment, dated July 5, 2019 (the “**Judgment**”), attached at **Appendix 5**.

6. The Receiver files this fourth report (the “**Fourth Report**”) with the Court to advise of the Receiver’s activities since the Third Report and to support its request for an order for the following:

- (a) Authorizing the following sale transactions: 1790 Cross Transaction, the 1889 Simcoe Transaction, and the 1779 Cross Transaction (each as defined below), vesting in the respective purchasers thereunder the right, title and interest of the subject properties and authorizing the Receiver to take all steps required to complete each sale transaction;
- (b) Sealing Confidential Appendices A, B, C, D, E and F (each as defined below);
- (c) Authorizing the distribution of the following funds from the Innisfil Sale Transactions (defined below) as follows:
 - (i) \$200,000, plus interest, to Hillmount Capital Inc. (“**Hillmount**”);
 - (ii) \$581,809.14, plus \$20,688.70 in legal fees, to Meridian Credit Union Limited (“**Meridian**”); and
 - (iii) \$14,170.00, more or less, subject to adjustments, to the Town of Innisfil, in payment of outstanding municipal property taxes accrued to the respective dates of closing of the Innisfil Sale Transactions;

- (d) Granting leave to the Receiver to have a Writ of Possession issued in respect of the Saleable Properties municipally known as 1779 Cross Street, Innisfil, Ontario; and
- (e) Approving this Fourth Report and (i) the activities and conduct of the Receiver described herein; and (ii) the fees and disbursements of the Receiver to June 30, 2019, in the amount of \$575,193.01, plus HST; and (iii) the fees and disbursements of the Receiver's counsel to July 31, 2019, in the amount of \$234,013.71, plus HST.

II. DISCLAIMER

7. In preparing this Fourth Report, the Receiver has relied upon the unaudited, draft and/or internal financial and other information provided by the Debtors, their advisors, and other third-party sources. The Receiver has not independently reviewed or verified such information. The Receiver has prepared this Fourth Report for the sole use of the Court and of the other stakeholders in these proceedings. The Receiver assumes no responsibility or liability for loss or damage occasioned by any party as a result of the circulation, publication, re-production or use of this Fourth Report. Any use which any party, other than the Court, makes of this Fourth Report or any reliance on or a decision made based upon it is the responsibility of such party.

8. Unless otherwise specifically noted, all dollar amounts referred to in this Fourth Report are in Canadian funds.

III. RECEIVER'S ACTIVITIES

9. The Receiver's activities directly relating to the preservation, protection and realization of the Properties since the Third Report include:

- (a) Managing the remaining Income Producing Properties, including:
 - (i) overseeing necessary clean-up;

- (ii) undertaking and arranging for necessary repairs, as needed;
 - (iii) maintaining the premises;
 - (iv) collecting rents and attending to general landlord-tenant matters;
 - (v) liaising with public utilities and other service providers to ensure continued services;
 - (vi) ensuring and maintaining adequate insurance coverage on all Properties
- (b) Responding to ongoing queries from secured creditors and parties claiming to have interest in and to the Properties;
- (c) Selecting a real estate brokerage to handle the sale of the three (3) Saleable Properties in Innisfil, Ontario and the one (1) Saleable Properties in Thornhill, Ontario;
- (d) Working with Meridian on multiple listings on Saleable Properties, on which Meridian holds a first mortgage;
- (e) Working with Royal LePage Your Community Realty Inc. to market and sell three (3) of the Saleable Properties in Innisfil, Ontario (collectively, the “**Innisfil Properties**”):
- (i) 1790 Cross Street (“**1790 Cross**”);
 - (ii) 1889 Simcoe Boulevard (“**1889 Simcoe**”); and
 - (iii) 1779 Cross Street (“**1779 Cross**”);
- (f) Negotiating terms of sale for the Innisfil Properties with their respective purchasers;
- (g) Discussions with the Debtors’ legal counsel with respect to Sandy’s and his family’s ongoing efforts to obstruct the Receiver’s efforts to sell the Innisfil Properties;

- (h) Maintaining and updating the Receiver's case website, including the posting of Court reports, motion materials and updated service list;
- (i) Working with the interested parties to provide monthly living expenses to Sandy and Tanya based on an agreed upon budget; and
- (j) Conducting ongoing investigations and monitoring of cash flow of the Respondents;
- (k) Obtaining a revolving credit facility from Hillmount, as authorized by the March Order, to fund the Receiver's ongoing obligations.

IV. SALES OF INNISFIL PROPERTIES TO BE APPROVED

10. The April Order authorizes and empowers the Receiver to:

- (a) “[C]onvey [or] transfer... the Saleable Properties [defined as including, *inter alia*, the Innisfil Properties] or any part or parts thereof out of the ordinary course of business” without notice pursuant to the *Personal Property Security Act* or *Mortgages Act* (para. 1(b)); and
- (b) “[A]pply for any vesting order or other orders necessary to convey the Saleable Properties or any part or parts thereof to a purchaser or purchasers thereof, free and clear of any liens or encumbrances affecting such Saleable Property” (para. 1(c)).

11. The sale process followed and the basis for the Receiver's recommendation to approve the sale of the Innisfil Properties are below.

12. The Receiver requested comprehensive listing proposals and marketing outlines from four (4) real estate brokerages, and received comprehensive proposals from three (3) brokerages. Each

of the proposals included similar commission structures. The Receiver chose Royal LePage Your Community Realty Brokerage, in consultation with Meridian, the first position mortgagee of the Innisfil Properties, as the listing brokerage (the **“Innisfil Broker”**) for the Innisfil Properties.

A. The 1790 Cross Transaction

13. On or around July 10, 2019, the Receiver entered into an Agreement of Purchase and Sale in respect of 1790 Cross (the **“1790 Cross Transaction”**), conditional on Court approval. No other conditions remain. The sale’s original scheduled closing date was August 8, 2019, which the Receiver subsequently extended to September 12, 2019, via agreement between counsel. Copies of the Agreement of Purchase and Sale and correspondence between counsel extending the closing date are attached at **Confidential Appendix “A”**.

14. From June 18, 2019 to July 2, 2019, the Innisfil Broker engaged in a sale process that included a social media campaign and the advertisement the listing on several real estate websites, including MLS standard listing on www.realtor.ca. The Innisfil broker showed the 1790 Cross property to ten prospective purchasers.

15. The Receiver obtained formal appraisals of the 1790 Cross property, as of June 14, 2019, which appraised the property on both a ‘power of sale’ basis and a ‘fair market value’ basis (the **“1790 Cross Appraisals”**). A copy of the 1790 Cross Appraisals is attached at **Confidential Appendix “B”**.

16. The Receiver received one offer to purchase 1790 Cross. After several days of negotiations, the agreement for purchase and sale was finalized on July 10, 2019, subject to Court approval, and included the following key terms:

- (a) A purchase price between 0% and 3% higher than the appraised fair market value, and between 24% and 28% higher than the appraised power of sale value.
- (b) Several conditions in favour of the purchaser, including ones relating to financing, insurance and inspection;
- (c) The assumption of the current tenant; and
- (d) A flexible closing date, tentatively scheduled approximately 45 days from the issuance of the agreement of purchase and sale.

17. Based on advice from the Innisfil Broker and on the 1790 Cross Appraisals, the Receiver accepted this the offer, which was from an arm's length party.

18. As of the date of this Fourth Report, the purchase of 1790 Cross has provided the Innisfil Broker with a deposit of \$20,000.00 , which is being held in trust by the Innisfil Broker. The deposit is payable to the Receiver as liquidated damages should the transaction not close due to default or failure to perform on the part of the purchaser.

19. The Receiver recommends that this Court approve the 1790 Cross Transaction because:

- (a) The Receiver selected a listing brokerage for the 1790 Cross Property through a competitive proposals process;
- (b) The Innisfil Broker marketed 1790 Cross for sale to the public and showed it to ten prospective purchasers;
- (c) The Innisfil Broker has advised the Receiver that there have been no further requests for showings;

- (d) The 1790 Cross Transaction provides for the continued tenancy of the current tenants, being arms' length parties to the Debtors and a family comprising two adults and two children under the age of majority;
- (e) The purchase price is higher than the power of sale value and the fair market value;
- (f) The purchase price is sufficient to discharge the secured liability of the Debtors to Meridian, the first mortgagee registered on title. Meridian consents to the 1790 Cross Transaction;
- (g) The purchase price is sufficient to discharge the secured liability of the Debtors for outstanding property taxes due to the municipality;
- (h) The Innisfil Broker has advised the Receiver that the optimal season for selling cottage-type properties such as 1790 Cross is spring and summer; and
- (i) The Innisfil Broker recommended the 1790 Cross Transaction.

B. The 1889 Simcoe Transaction

20. On or around July 2, 2019, the Receiver entered into an Agreement of Purchase and Sale in respect of 1889 Simcoe (the “**1889 Simcoe Transaction**”), conditional on Court approval. No other conditions remain and the sale is scheduled to close on September 5, 2019. A copy of the Agreement of Purchase and Sale is attached at **Confidential Appendix “C”**.

21. The Receiver obtained formal appraisals of 1889 Simcoe, as of June 17, 2019, which appraised the property on both a ‘power of sale’ basis and a ‘fair market value’ basis (the “**1889 Simcoe Appraisals**”). A copy of the 1889 Simcoe Appraisals is attached at **Confidential Appendix “D”**.

22. From June 18, 2019 to July 2, 2019, the Innisfil Broker engaged in a sale process that included a social media campaign, the advertisement of the listing on several real estate websites, including MLS standard listing on www.realtor.ca, and setting an offer presentation date of June 27, 2019. The Innisfil broker showed 1889 Simcoe to nineteen prospective purchasers. The Receiver received ten offers by June 27, 2019 and asked the three offerors who submitted the highest and best offers to submit a second round of offers. From those, the Receiver considered one to be the best because it provided:

- (a) A purchase price between 0% and 2% higher than the appraised fair market value, and between 24% and 27% higher than the appraised power of sale value; and
- (b) No conditions (making it the only unconditional offer received).

23. Based on advice from the Innisfil Broker and on the 1889 Simcoe Appraisals, the Receiver accepted this offer, which was from an arm's length party.

24. As of the date of this Fourth Report, the purchaser of 1889 Simcoe has provided the Innisfil Broker with a deposit of \$50,000.00, which is being held in trust by the Innisfil Broker. The deposit is payable to the Receiver as liquidated damages should the transaction not close due to default or failure to perform on the part of the purchaser.

25. The Receiver recommends that this Court approve the 1889 Simcoe Transaction because:

- (a) The Receiver selected a listing brokerage for the 1889 Simcoe through a competitive proposals process;
- (b) The Innisfil Broker marketed the 1889 Simcoe for sale to the public and showed it to nineteen prospective purchasers;

- (c) The Receiver received nine other offers with lower purchase prices and with less desirable other terms;
- (d) The purchase price is higher than the power of sale value and equal to, or greater than, the fair market value;
- (e) The purchase price is sufficient to discharge the secured liability of the Debtors to Meridian, the only mortgagee registered on title. Meridian consents to the 1889 Simcoe Transaction;
- (f) The purchase price is sufficient to discharge the secured liability of the Debtors for outstanding property taxes due to the municipality;
- (g) The Innisfil Broker has advised the Receiver that the optimal season for selling cottage-type properties such as 1889 Simcoe is spring and summer; and
- (h) The Innisfil Broker recommended the 1889 Simcoe Transaction.

C. The 1779 Cross Transaction

26. On or around July 2, 2019, the Receiver entered into an Agreement of Purchase and Sale in respect of 1779 Cross (the “**1779 Cross Transaction**”), conditional on Court approval and the Receiver’s provision of vacant possession. The sale is set to close on September 12, 2019. If the Receiver fails to provide vacant possession by the closing date, the Receiver has sole discretion to postpone the closing date for up to fifty (50) days, after which the Agreement of Purchase and Sale is rendered null and void and the Receiver must return the purchaser’s deposit in full. A copy of the Agreement of Purchase and Sale is attached at **Confidential Appendix “E”**.

27. The Receiver obtained formal appraisals of 1779 Cross, as of June 24, 2019, which appraised the property on both a ‘power of sale’ basis and a ‘fair market value’ basis (the “**1779**

Cross Appraisals”). A copy of the 1779 Cross Appraisals are attached at **Confidential Appendix “F”**.

28. Sandy has apparently resided at 1779 Cross without paying rent since prior to the Receiver’s appointment. The March Order, to which Sandy consented, authorized the Receiver to take exclusive possession of the Property without interference from Sandy.¹ The Receiver permitted Sandy to remain at the property rent-free until June 30, 2019, when it requested that he vacate the property. Sandy has failed to do so as of the date of this Fourth Report, in violation of the Receiver’s request and of the March Order and the Judgment continuing the March Order.

29. The Receiver’s efforts to market and sell 1779 Cross have also been significantly impeded by the actions of Sandy and/or members of his family.

30. At the start of the sale process,

- (a) Sandy told prospective realtors that he had a right to maintain an office at 1779 Cross;
- (b) the Innisfil Broker placed a ‘For Sale’ sign at the front of the property, but it was advised by a neighbour that Sandy’s sons had removed the sign shortly after it had

¹ Paragraph 2 of the March Order (continued by the Judgment) states, in relevant part:

2. THIS COURT ORDERS that the Receiver is hereby empowered and authorized, but not required, to act at once in respect of the Property and without in any way limiting the generality of the foregoing, the Receiver is hereby expressly empowered and authorized to do any of the following where the Receiver considers it necessary or desirable:

...

- (d) to take possession of and exercise control over [enumerated Properties including 1779 Cross]

...

and in each case where the Receiver takes any such actions or steps, it shall be exclusively authorized and empowered to do so, to the exclusion of all other Persons [defined as including the Debtors, including Sandy, and all other persons with notice of the March Order] and without interference from any other Person.

been erected. As of the date of this Fourth Report, the 'For Sale' sign has not been recovered;

- (c) The Innisfil Broker made multiple appointments with Sandy for access to the property's interior so that it could take pictures for the sale listing, but was never able to do so because on each occasion Sandy either cancelled the meeting at the last minute or failed to be present at the appointed meeting time; and
- (d) Sandy refused to permit showings of 1779 Cross without his personal attendance.

31. On May 12, 2019, Receiver's counsel, Daniel Naymark, sent an email to Sandy's counsel, Phil Smith, stating:

It appears... that [Sandy] has told agents (a) not to attend at the Theodore property [33 Theodore, discussed below] as scheduled tomorrow; and (b) that he has a right to continue to occupy the Theodore and Cross properties post-sale. I do not need to explain to you the jeopardy to which he exposes himself by so doing. Without waiving any possible consequences of what he has done already, I ask that you please caution your client in strongest terms not to interfere further in the sales process.

Given that the assertion of continuing tenancy rights has only been made from Mr. Hutchens to these agents and not from you to me, I am proceeding on the assumption that it is not a position he is actually taking formally. If it is, he should bring a motion urgently and expect it will be opposed.

A copy of Mr. Naymark's email (without attachments) is attached at **Appendix 6**.

32. Mr. Smith did not respond to this email and Sandy did not bring a motion as invited.

33. On June 17, 2019, Mr. Naymark wrote to Mr. Smith advising of the missed appointments, lack of cooperation, and the removal of the For Sale Sign. A copy of the letter is attached at **Appendix 7**.

34. On June 18, 2019, Mr. Smith responded to explain that Sandy had missed an appointment with the Innisfil Broker because his car had broken down, and that his sons had acted on their own accord to remove the For Sale sign. Mr. Smith advised that Sandy would agree to provide the Innisfil Broker with a key (kept inside a lockbox on the front door), to keep the property in a “tidy condition”, and vacate the premises for showing as long as he was given 24 hours’ notice. A copy of Mr. Smith’s email, dated June 18, 2019, is attached at **Appendix 8**.

35. From June 18, 2019 to June 28, 2019, the Innisfil Broker booked thirty-seven showings of the property. However, the Innisfil Broker was only able to show the property 20 times because Sandy failed to confirm seventeen showings.

36. The Innisfil Broker advised the Receiver that prospective purchasers and/or their realtors reported that the house was in extremely poor condition for scheduled showings, including:

- (a) The presence of alcohol, drug paraphernalia, food, garbage, dirty laundry, and smoke;
- (b) The obstruction of the entrance to the property by garbage; and
- (c) An odour in the house from rotting food, alcohol, garbage and other substances left out in the open, which so unbearable that prospective purchasers refused to walk through the house.

37. On multiple occasions, even though the Innisfil Broker had confirmed the showing with Sandy, his sons (who reside with Tanya at 33 Theodore Place) were present at the property and claimed that they were not informed of the showing. In addition to the poor condition of the

premises, prospective purchasers reported being told that the property was not for sale and being yelled at for trespassing. Multiple prospective purchasers decided, upon arrival, not to view the property because they felt unsafe due to the presence of a loud, unleashed dog, and/or because there was someone home who refused to answer the door.

38. Attached at **Appendix 9** are three email reports, dated June 24, 2019, June 25, 2019 and June 28, 2019, from the Innisfil Broker summarizing the experiences of various prospective purchasers who attended at 1779 Cross.

39. On June 20, 2019, Mr. Smith emailed Mr. Naymark to express Sandy's concerns with the Receiver's sale process for 1779 Cross. Mr. Naymark responded by email on June 24, 2019, and included a copy of the Innisfil Broker's initial submission to the Receiver of his opinion of the value of 1779 Cross. A copy of this email chain, without attachments, is attached at **Appendix 10**.

40. The Receiver received no offers by the offer presentation deadline of 12:00 p.m. on June 28, 2019. A prospective buyer's agent notified the Receiver that on that day, a large amount of garbage was placed on the porch of the Property around the entryway, preventing access to the lockbox on the door.

41. On June 30, 2019, Mr. Naymark emailed Mr. Smith to advise him of the continued obstruction of the Receiver's attempt to sell 1779 Cross, and that the Receiver could not sell the property for fair market value without taking possession, pursuant to the March Order, by July 15, 2019. A copy of Mr. Naymark's email to Mr. Smith, dated June 30, 2019, is attached at **Appendix 11**.

42. From June 18, 2019 to July 9, 2019, the Innisfil Broker engaged in a sale process that included a social media campaign, the advertisement of the listing on several real estate website,

including MLS standard listing on www.realtor.ca, and setting an offer presentation date of June 28, 2019.

43. Following the offer presentation deadline, the Receiver received four offers between June 28, 2019 and July 2, 2019. In response, the Innisfil Broker requested a second round of offers. All four prospective purchasers complied with this request. From the pool of second-round offers, the Receiver considered one to be the best because it provided:

- (a) The highest purchase price;
- (b) The highest deposit; and
- (c) No conditions (making it the only unconditional offer received).

44. The Receiver continued negotiations with the purchaser to improve the purchase price. During the negotiations, the purchaser advised that its legal counsel had reviewed the various Court Orders and materials posted on the Receiver's case website and had become concerned about the Receiver's ability to provide vacant possession. In response, the Receiver agreed that it would exercise best efforts to provide vacant possession by the closing date. If unable to do so, the Receiver has sole discretion to extend the closing date for up to fifty days, after which the Agreement of Purchase and Sale would be rendered null and void and the Receiver would have to return the deposit in full.

45. Based on advice from the Innisfil Broker and on the 1779 Cross Appraisals, the Receiver accepted the terms of the 1779 Cross Transaction, which was from an arm's length party.

46. As of the date of this Fourth Report, the purchaser has provided the Innisfil Broker with a deposit of \$50,000.00, which is being held in trust by the Innisfil Broker. The deposit is payable

to the Receiver as liquidated damages should the transaction not close due to default or failure to perform on the part of the purchaser.

47. On July 11, 2019, Mr. Naymark emailed Mr. Smith to advise that the Receiver had finalized the 1779 Cross Transaction and, because the closing date was September 12, 2019, Sandy could stay at the premises until July 31, 2019. A copy of the email from Mr. Naymark to Mr. Smith is attached at **Appendix 12**.

48. Sandy has not substantively responded to the Receiver's requests that he vacate 1779 Cross, and as of the date of this Fourth Report, he has not done so. The Receiver accordingly seeks leave to issue a writ of possession to remove him from the property.

49. On or around July 23, 2019, Sandy commenced an application before the Landlord Tenant Board, naming Paul Denton of the Receiver as the respondent "landlord", seeking to impose certain restrictions on the Receiver's ability to sell 1779 Cross. A copy of the Notice of Hearing is attached at **Appendix 13**.

50. Sandy's application violated the March Order (continued by the Judgment), which prohibited proceedings against the Receiver or in respect of enumerated properties including 1779 Cross. Through counsel, the Receiver advised Sandy that it intended to bring contempt proceedings in respect of his continuing violation of the March Order and to seek a penalty of incarceration in order to avoid further obstruction of property sales. In response, on August 9, 2019, Sandy agreed to withdraw his Landlord Tenant Board application. As of the date of this Fourth Report, Sandy has not withdrawn the application. Copies of the corresponding emails between counsel for the Receiver and counsel for Sandy are attached at **Appendix 14**.

51. Sandy did not assert a residential tenancy right to remain in 1779 Cross prior to consenting to the March Order, paragraph 2(d) of which authorizes and empowers the Receiver to take exclusive possession of 1779 Cross, or the April Order authorizing and empowering the Receiver to market and sell the Property. Nor did Sandy assert the existence of a residential lease agreement or rental payments in respect of 1779 Cross prior to issuing the Landlord Tenant Board application. To the contrary, Sandy's information provided to the Receiver pursuant to the March Order was that he has paid no rent in respect of 1779 Cross, and he asserted only a right to maintain an office at 1779 Cross (not a residential tenancy right) to prospective realtors as described above, an assertion he did not formally make or maintain in this proceeding in response to Mr. Naymark's May 12, 2019 email attached above at Appendix 6.

52. The Receiver recommends that this Court approve the 1779 Cross Transaction because:

- (a) The carrying costs incurred to preserve 1779 Cross will continue to accrue with no off-setting revenue, as it has been occupied by Sandy who has not paid any rent;
- (b) The Receiver selected a listing brokerage for 1779 Cross through a competitive proposals process;
- (c) The Innisfil Broker used best efforts to market 1779 Cross for sale to the public, which was kept in poor condition and poor repair by Sandy;
- (d) Despite Sandy's and his sons' lack of cooperation with and obstruction of the marketing and sale process described above, the Innisfil Broker arranged for 1779 Cross to be showed to twenty prospective purchasers;
- (e) The Receiver received three other offers for lower purchase prices and with less desirable other terms;

- (f) The purchase price in the 1779 Cross Transaction is within 1-2% of the property's appraised fair market value, and 13-15% higher than its appraised power of sale value;
- (g) The 1779 Cross Transaction provides for the highest and best sale price of all offers;
- (h) The purchase price is sufficient to discharge the secured liability of the Debtors to Meridian, the only mortgagee registered on title. Meridian consents to the 1779 Cross Transaction;
- (i) The purchase price is sufficient to discharge the secured liability of the Debtors for outstanding property taxes due to the municipality;
- (j) As reflected in the email exchange attached above at Appendix 10 above, the Receiver does not credit Sandy's assertion that the value of 1779 Cross is higher because of the listing price of a neighbouring property. The property in question consists of a larger lot with more desirable physical features and a larger cottage building, and Sandy points to its listing price (at which it has been listed for over a year) rather than a sale price;
- (k) The Innisfil Broker has advised the Receiver that the optimal season for selling cottage-type properties such as 1779 Cross is spring and summer; and
- (l) The Innisfil Broker recommended the 1779 Cross Transaction.

53. The Receiver further recommends that this Court grant leave to issue a Writ of Possession in respect of the 1779 Cross property as soon as possible because:

- (a) The 1779 Cross Transaction will not close unless the Receiver is able to provide vacant possession;

- (b) The Receiver will most likely not be able to obtain a comparable offer or purchase price if the 1779 Cross Transaction does not close as scheduled, or at all, because the prime season for property sales in Innisfil will have lapsed for the year;
- (c) Sandy has obstructed the Receiver's efforts to sell 1779 Cross, both directly and indirectly through the actions of his sons; and
- (d) Sandy has sufficient notice of the March Order, to which he consented, authorizing the Receiver to take exclusive possession of 1779 Cross; and
- (e) In the event that a Sheriff is to proceed with an eviction, adequate time will be required to conclude such process and clear 1779 Cross of belongings and waste in time to meeting the closing date.

V. UPDATE ON SALE PROCESS FOR 33 THEODORE PLACE

54. The April Order authorized and empowered the Receiver to market and sell two Properties in addition to the Innisfil Properties. The Receiver has closed the sale of one such property, located at 42 Clemow Avenue, Sudbury, pursuant to the June Order. The other Property is municipally known as 33 Theodore Place, Thornhill, Ontario ("**33 Theodore**").

55. Tanya resides at 33 Theodore with her and Sandy's three children: two sons, aged 18 and 20, and a daughter aged 16. The Receiver is advised that there is at least one, but as many as three, dogs living at 33 Theodore. Meridian is the first mortgagee registered on title to 33 Theodore and has advised the Receiver that it wishes to realize on its security for the underlying loan, which is in default, immediately.

56. Since the issuance of the April Order, the Receiver has encountered considerable obstacles in its attempt to sell 33 Theodore.

57. The Receiver sought listing proposals and marketing outlines from three real estate brokerages and received comprehensive proposals from each. Each of the realtors who attended at 33 Theodore encountered similar hindrances to those that were experienced by the Innisfil Broker, prospective purchasers and their agents at 1779 Cross. For example, one realtor advised the Receiver that a growling dog prevented him from viewing the upstairs of the property and that Tanya refused to move the dog. Another realtor advised the Receiver that one of Sandy's and Tanya's sons was present during his property visit, that the son was aggressive with the agent and refused to allow the agent to tour the home, and that he told the agent he was acting pursuant to his father's instructions. None of the realtors attending at 33 Theodore Property were permitted full access to the premises.

58. In addition, all three realtors who visited 33 Theodore advised the Receiver that the Property was in a critically poor state of repair and maintenance. All the realtors advised the Receiver that the Property's current condition would significantly depress its market value.

59. Unlike 1779 Cross, the March Order does not authorize and empower the Receiver to take exclusive possession of 33 Theodore. The Receiver requested that Tanya move out of 33 Theodore so that it can be repaired and staged for sale in order to recognize the asset's full value. Tanya has refused to do so. So long as Tanya continues to reside at 33 Theodore, the Receiver expects it will be unable to sell this Property except at a significant discount to its value.

60. Tanya instead proposed that the Receiver be authorized to market and sell two other Properties (1573 Houston Avenue, Innisfil and 1479 Maple Road, Innisfil), to use the proceeds of sale of those Properties to buy out Meridian's mortgage on 33 Theodore, and to forebear on the sale of 33 Theodore pursuant to the stay of enforcement set out in the Judgment. The Receiver and

the other parties to this proceeding have consented to Tanya's proposal, and no other member of the Service List opposes it. As of the date of this Fourth Report, the Receiver has circulated a detailed draft order in respect of that proposal to the Service List and expects to seek that order on consent at the next chambers appointment in this matter, presently scheduled for August 19, 2019.

VI. ONGOING EFFORTS TO OBSTRUCT SALES; URGENCY OF PROPOSED SALES

61. The Receiver seeks an order permitting the above sale transactions on an urgent basis due to:

- (a) The impending scheduled closing dates of the transactions, which it may not be possible to extend;
- (b) The fact that the market for the Innisfil Properties is a seasonal one, peaking in spring and summer, and that the optimal selling window will accordingly soon end if the contemplated sales do not close;
- (c) Sandy's and Tanya's ongoing efforts to frustrate the sales.

62. With respect to (c), in addition to the obstruction of the sales of 1779 Cross and 33 Theodore described above, the Receiver has recently received reports of efforts to obstruct the 1889 Simcoe Transaction and 1790 Cross Transaction. The Receiver is concerned by this conduct. Specifically:

- (a) On June 14, 2019, the Receiver's realtor advised that the "For Sale" sign placed at 1790 Cross had been removed. It was later located in a nearby ditch;
- (b) On July 18, 2019, the Receiver's realtor for 1790 Cross advised that Tanya was calling that Property's tenant, and that the tenant did not wish to speak with Tanya and was unsure what to do;

- (c) On July 22, 2019, the tenant of 1889 Simcoe advised the Receiver that Tanya was calling him repeatedly and that she advised him she was trying to find a way to save the properties; and
- (d) On July 23, 2019, the tenant of 1790 Cross advised the Receiver that Tanya had arrived uninvited at the Property and pressured the tenant to sign a two-year tenancy agreement, which the tenant declined to sign. The tenant advised the Receiver that she was fearful and that she did not want to have contact with Tanya and asked if she could block Tanya's number. The Receiver advised that Tanya had no authority to enter into a tenancy agreement in respect of the Property. In response to the tenant's questions, the Receiver advised the tenant that she was not obligated to speak with Tanya.

63. At this time, the Receiver has made no determination as to whether to initiate contempt proceedings against Sandy or Tanya. The Receiver's focus is on fulfilling its mandate to preserve the Debtors' assets and to monetize them through sales where authorized, and wishes to do so without incurring unnecessary expense. However, the Receiver may elect to initiate contempt proceedings if Sandy's and Tanya's obstruction continues.

VII. PROPOSED DISTRIBUTION TO SECURED CREDITORS

64. The Innisfil Properties are subject to the following charges against title:

- (a) All three Innisfil Properties are subject to the Receiver's Charge (as defined in the March order) securing the fees and disbursements of the Receiver and its counsel;
- (b) All three Innisfil Properties are subject to a Receiver's Borrowing Charge (as defined in the March Order) securing amounts that the Receiver has borrowed pursuant to the March Order from Hillmount Capital Inc. ("**Hillmount**");

- (c) Meridian is the first registered mortgagee on all three Innisfil Properties, and the only mortgagee registered on title to each of 1779 Cross and 1889 Simcoe;
- (d) There is a second mortgages registered on title to 1790 Cross in favour of Dina Brik, Tanya's mother; and
- (e) All three of the Innisfil Properties have outstanding property taxes due to the Town of Innisfil.

A. Hillmount

65. The March Order granted the Receiver authority to borrow up to \$750,000.00 to fund the receivership, secured by a Receiver's Borrowing Charge (as defined in the March Order) ranking as a second charge on the Properties in priority to all other interests, aside from the Receiver's Charge. On May 15, 2019, pursuant to the March Order, the Receiver borrowed \$400,000.00 from Hillmount (of a maximum of \$750,000), on terms that include interest compounding monthly at the greater of 9.75% per annum or the posted Royal Bank of Canada Prime Rate + 5.3% (the "**Hillmount Receiver Loan**"). Copies of the Receiver's certificate and the term sheet in respect of the Hillmount Receiver Loan (the "**Receiver's Certificate Commitment**") are attached at **Appendix 15**.

66. The Receiver's Certificate Commitment also provides that:

- (a) The Receiver shall pay the Hillmount Receiver Loan in proportionate paydowns upon the sale of the Properties;
- (b) The Receiver shall not distribute funds to any creditors without the consent of Hillmount, save for the Receiver's Charge as contemplated by the March Order;

- (c) The Receiver must obtain Hillmount's prior written consent before seeking Court approval for distribution to secured creditors with charges ranking subordinate to the Receiver's Borrowing Charge in favour of Hillmount.

B. Meridian

67. Meridian is arm's length from the Debtors and has documented its security and mortgage loans (the "**Meridian Security**") to the Receiver's satisfaction. The Receiver has obtained a security opinion, which concluded that the Meridian Security is valid and enforceable to the extent of all monies advanced thereunder. A copy of the security opinion relating to the Meridian Security, dated May 8, 2019, is attached at **Appendix 16**.

68. As of the scheduled closing dates of each of the Innisfil Sale Transactions, payments due to Meridian on its mortgages will total approximately \$581,809.14, as of August 19, 2019, plus \$20,688.70 in legal fees. This figure is based on payout balances provided to the Receiver by Meridian on August 9, 2019, as follows:

- (a) on the 1779 Cross property, approximately \$301,175.13;
- (b) on the 1790 Cross property, approximately \$80,046.89; and
- (c) on the 1889 Simcoe property, approximately \$200,587.12.

69. The Receiver expects to receive an updated payout statement from Meridian with final figures prior to paying out the balance of these mortgages

70. Meridan has advised the Receiver that as of June 3, 2019, it has incurred \$38,598.32 in legal fees with respect to these three properties and 33 Theodore Place. For the purposes of this report, the Receiver has allocated \$20,688.70 of Meridian's legal fees incurred based on the proportion of the mortgage balance of these three properties compared to the total balance of all

four mortgages. Meridian consents to this approach, but advises that it may have additional legal fees post-June 3, 2019 that need to be accounted for in the future.

C. Property Tax

71. The annual property tax levies issued by the Town of Innisfil for 2019 on each of the Innisfil Properties are as follows:

- (a) On the 1779 Cross property: \$5,938.14;
- (b) On the 1790 Cross property: \$3,250.86; and
- (c) On the 1889 Simcoe property: \$4,718.75.

72. As of the date of this Fourth Report, the Receiver believes that no instalment payments have been made by the Debtors to the Town of Innisfil in respect of property taxes. On closing of the Innisfil Sale Transactions, the Receiver will authorize the release of payment to the Town of Innisfil for the amount of property taxes outstanding, pro-rated to the closing date; or, alternatively, adjust the purchase price, as may be agreed between the Receiver and respective purchasers, to account for the pro-rated amount due by the Debtors.

D. Dina Brik

73. Dina Brik is Tanya's mother and therefore a non-arm's length party to the Debtors. Ms. Brik has a registered charge on the 1790 Cross Property, registered as instrument number SC962560 on February 10, 2012, in the amount of \$80,750. On April 26, 2012, Ms. Brik registered a postponement of her charge in favour of Meridian. Accordingly, Ms. Brik's security, if valid and enforceable, ranks subsequent to the priority of the Meridian Security. A copy of the parcel register for the 1790 Cross property, dated November 16, 2018, is attached as **Appendix 17**.

74. To date, the Receiver has not been provided with any evidence or documentation related to the security or indebtedness, if any, in favour of Ms. Brik. The Receiver does not recommend any distribution of funds from the proceeds of the 1790 Cross Transaction to Ms. Brik at this time. The validity and priority of any claim by Ms. Brik can be determined in future, and the vesting order sought will contain standard language to the effect that claims against 1790 Cross apply as against the proceeds of sale thereof.

E. Proposed Distributions

75. With Hillmount's consent, the Receiver proposes to distribute from the net proceeds of sale of the Innisfil Properties (together, the **"Innisfil Sale Transactions"**):

- (a) Amounts due to the Town of Innisfil in respect of outstanding property taxes levied against the respective Innisfil Properties, from the sale of each; then
- (b) \$200,000, plus interest, to Hillmount on account of the Receiver's Certificate Commitment; then
- (c) The balance of Meridian's loans in respect of each Innisfil Property, up to the amounts for which those loans are secured by mortgages registered against each Innisfil Property. The Receiver anticipates that the net proceeds of the Innisfil Sale Transactions after the above distributions will exceed the amount of Meridian's loans in respect of the Innisfil Properties.

76. The Receiver and its counsel are content to postpone the payment of their fees and disbursements to the above payments.

VIII. SEALING ORDER

77. Confidential Appendices A, B, C, D, E and F contain information disclosing the agreed sale prices and appraised values, respectively, of the Innisfil Properties. The Receiver expects that disclosure of this information prior to the closing of the Innisfil Sale Transactions may prejudice its negotiating position in the sale process for the Innisfil Properties that would be required if the Innisfil Sale Transactions are not approved or do not close for any reason.

IX. FEES OF THE RECEIVER AND ITS COUNSEL

78. The Receiver seeks approval of its fees and disbursements and those of its counsel, pursuant to the Interim Appointment Order and the March Order.

79. Attached at **Appendix 18** is an affidavit of the Receiver setting out its fees and disbursements to June 30, 2019. The Receiver's detailed statements of account for this period are attached as exhibits to its affidavit. The total quantum of the amounts incurred and for which approval is sought is fees of \$560,653.00, together with HST on fees of \$72,884.92 and disbursements (including HST) of \$16,430.13, for a total of \$649,968.10.

80. Attached at **Appendix 19** is an affidavit of counsel to the Receiver in this proceeding, Naymark Law, setting out its fees and disbursements to July 31, 2019. Counsel's detailed statements of account for this period are attached as exhibits to that affidavit. The total quantum of the amounts incurred and for which approval is sought is fees and disbursements of \$234,013.71, plus HST of \$29,795.28, for a total of \$263,808.99.

X. RELIEF REQUESTED

81. Based on the foregoing, the Receiver respectfully recommends that this Court provide the relief noted in paragraph 6 of this Fourth Report.

All of which is respectfully submitted this 13th day of August, 2019.

**A. FARBER & PARTNERS INC.
IN ITS CAPACITY AS COURT APPOINTED
INTERIM RECEIVER OF HUTCHENS *ET AL.*
AND NOT IN ITS PERSONAL OR CORPORATE CAPACITY.**

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at TORONTO

FOURTH REPORT OF THE RECEIVER

NAYMARK LAW

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Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 11



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www.jaffeperitz.com

ELAINE S. PERITZ*
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*practising as a professional corporation

BARRISTERS AND SOLICITORS

May 8, 2019

BY EMAIL dnaymark@naymarklaw.com

Daniel Naymark
Naymark Law
101 - 171 John Street
Toronto, ON
M5T 1X3

Dear Mr. Naymark:

Re: A. Farber & Partners Inc., Receiver of Hutchens et al. (the "Receiver")

You have requested our opinion concerning the Charge/Mortgages issued by Tanya (also known as Tatiana) Hutchens ("Tanya") to Meridian Credit Union Limited ("Meridian") and the Charge/Mortgage issued by Sandy Hutchens ("Sandy") to Ronald Henderson ("Ronald"). Tanya and Sandy are respondents in an Application with Court File No. CV-18-608271-00CL (the "Application").

In order to provide our opinion we reviewed and relied exclusively on copies of the following:

1. A Charge/Mortgage registered in the Simcoe land registry office as SC976633 on April 26, 2012 from Tanya to Meridian in the principal amount of \$85,000.00 (the "85K Mortgage") against the property with PIN 58069-0103 (LT) and legally described as LT 1 PL 978 INNISFIL; INNISFIL (the "1790 Cross Property"), obtained from Service Ontario;
2. A Charge/Mortgage registered in the Simcoe land registry office as SC1049629 on April 8, 2013 from Tanya to Meridian in the principal amount of \$300,000.00 (the "300K Mortgage") against the property with PIN 58069-0150 (LT) and legally described as PT N ½ LT 25 CON 6 INNISFIL AS IN RO1093173; S/T RO1093173; INNISFIL (the "1779 Cross Property"), obtained from Service Ontario;
3. A Charge/Mortgage registered in the Simcoe land registry office as SC1049631 on April 8, 2013 from Tanya to Meridian in the principal amount of \$200,000.00 (the "200K

Mortgage”) against the property with PIN 58072-0299 (LT) and legally described as LT 31, PL 657; INNISFIL (the “Simcoe Blvd. Property”), obtained from Service Ontario;

4. A Charge/Mortgage registered in the York Region land registry office as YR1844133 on June 27, 2012 from Tanya to Meridian in the principal amount of \$535,000.00 (the “535K Mortgage”) against the property with PIN 03251-0304 (LT) and legally described as PCL 89-1, SEC 65M2941; LT 89, PL 65M2941, S/T LT746593; VAUGHAN (the “Theodore Place Property”), obtained from Service Ontario; and
5. A Charge/Mortgage registered in the Sudbury land registry office as SD61982 on October 11, 2006 from Sandy to Ronald in the principal amount of \$100,000.00 (the “100K Mortgage”) against the property with PIN 73588-0383 (LT) and legally described as PCL 7614 SEC SES; LT 278 PL M128 MCKIM; GREATER SUDBURY (the “Clemow Property”), which you provided.

(Collectively, the “Mortgages”).

6. Parcel Registers obtained on April 29, 2019, provided by Service Ontario, Simcoe Land Registry Office (#51) for the 1790 Cross Property;
7. Parcel Registers obtained on April 26, 2019, provided by Service Ontario, Simcoe Land Registry Office (#51), for the 1779 Cross Property;
8. Parcel Registers obtained on April 26, 2019, provided by Service Ontario, Simcoe Land Registry Office (#51), for the Simcoe Blvd. Property;
9. Parcel Registers obtained on April 29, 2019, provided by Service Ontario, York Region Land Registry Office (#65), for the Theodore Place Property; and
10. Parcel Registers obtained on April 26, 2019, provided by Service Ontario, Sudbury Land Registry Office (#53), for the Clemow Property. The Parcel Register discloses a Land Registry Order on March 9, 2007 amending Owners’ Name Field by adding Judith Anne Hutchens – Estate ASIN.

(Collectively, the “Searches”).

The Searches discloses various Certificates of Pending Litigation.

In accordance with your instructions, we have not conducted the usual supplemental searches that are ordinarily conducted in real estate transactions; for instance, municipal work orders, realty tax arrears, writ searches, etc.

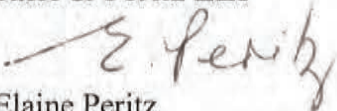
We express no opinion as to the priority of any of the Mortgages, the enforceability of any loans or obligations secured by the Mortgages, the specific payment provisions of the Mortgages, or title to the properties secured by the Mortgages. We express no opinion on the Application.

In our opinion, subject to the foregoing qualifications and the assumptions and qualifications set out in Schedule "A", attached hereto, each of the Mortgages is a valid and enforceable Charge/Mortgage against the Receiver to the extent of all monies advanced thereunder.

We have no reason to believe that any assumptions and qualifications set out in Schedule "A" may specifically apply with respect to the Mortgages. We invite your questions or comments should you have any concerns in this regard.

The opinions expressed herein are provided to and are for the sole purpose of A. Farber & Partners Inc. and may not be released to any other person or used for any other purpose without our express written consent.

Yours truly,
Jaffe & Peritz LLP



Elaine Peritz
ESP:rb

SCHEDULE "A"**Assumptions and Qualifications:****1. In rendering our opinion we have assumed the following:**

- (a) the genuineness of all signatures on documents examined by us, the authenticity of all documents submitted to us as originals and the conformity to authentic original documents of all documents submitted to us as certified, conformed or photostatic copies;
- (b) the legal capacity of natural persons and the truth of the factual statements contained in all documents submitted to us;
- (c) the accuracy and currency of the indices and filing systems maintained at the public offices where we have searched or inquired;
- (d) the due execution, authorization and delivery of the documentation referred to herein by all parties and as of the date of this opinion no steps or actions have been taken to revoke, rescind or modify any such authorizations;
- (e) that the debtors have no legal defence against any of the secured parties for, without limitation, absence of legal capacity, fraud, by or to the knowledge of any of the secured parties, misrepresentation, undue influence or duress.

2. We express no opinion with respect to the debtors' title to assets.**3. All opinions with regard to the enforceable nature of the obligations evidenced by any agreement or document, which are the subject matter hereof, are subject to the following qualifications:**

- (a) enforcement of an agreement may be restricted by any laws affecting or limiting the right of creditors to enforce any remedies available to them;
- (b) enforcement of an agreement might be affected or limited by any collateral agreements or arrangements relating thereto entered into among the parties thereto, of which we are not aware;
- (c) no opinion is given with respect to the availability of any particular remedy, equitable or otherwise. Without limiting the generality of the foregoing, no opinion is given that any particular provision of any of the agreement or document the subject matter hereof, may be specifically enforced; the enforceability of a party's obligations thereunder being

subject to the general principles of equity regardless of whether such enforceability is considered in a proceeding in equity or at law;

- (d) enforcement of an agreement may be limited by any applicable bankruptcy, reorganization, insolvency, moratorium or other law (including the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (the "BIA")) affecting the enforcement of creditors' rights generally from time to time; and
 - (e) since specific performance and injunctive relief are equitable remedies and may only be granted in the discretion of a court of competent jurisdiction, such remedies may not be available where damages are considered adequate.
4. The security documents are only enforceable to the extent that monies have been advanced by the secured parties and/or other obligations owed by the debtors to the secured parties have been incurred.
 5. The opinions expressed herein are provided to and are for the sole purpose of A. Farber & Partners Inc. and may not be released to any other person or used for any other purpose, other than to the Superintendent as defined in the BIA.

Appendix 12

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

B E T W E E N:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

AFFIDAVIT OF PAUL J. DENTON

I, Paul J. Denton, CA (NZ), CIRP, LIT of the City of Toronto, in the Province of Ontario,
MAKE OATH AND STATE AS FOLLOWS:

1. I am a Managing Director and Licensed Insolvency Trustee at A. Farber & Partners Inc. and, as such, have knowledge of the matters to which I hereinafter depose.
2. On February 28, 2019, Justice Penny appointed A. Farber & Partners Inc. as interim receiver (the “**Receiver**”), (the ‘**Interim Appointment Order**’) without security, of all the assets undertakings and properties of Sandy Hutchens, Tanya Hutchens, and certain entities referred to in Schedule “A” of the Interim Appointment Order, including certain real property (the “**Properties**”)
3. On March 18, 2019, Justice Penny continued the Receiver’s appointment, expanded the list of Properties over which it extended, and expanded the Receiver’s powers to include control and management of certain of the properties that produced rental income (hereafter referred to as the “**March Order**”).


4. On April 25, 2019, Justice Penny authorized and empowered the Receiver to sell five of the Properties (the “**Saleable Properties**”), and ordered a broader freezing of the Debtors’ assets subject to provisions for their living expenses and legal fees.
5. On June 7, 2019, Justice Penny further expanded the list of Properties over which the Receiver’s appointment is extended, approved the sale of a Saleable Property, vesting in the respective purchaser, and authorized the distribution of the sale proceeds.
6. On July 5, 2019, Justice Penny issued a judgment, on consent, recognizing the judgments of the United States District Court for the Eastern District of Pennsylvania, entered on October 11, 2018 and December 19, 2018 in Case Civ. No. 18-692 in favour of the Applicants and against the Respondents Sandy Hutchens and Tanya Hutchens, in the amount of US\$26,774,736.09, owed jointly and severally, temporarily stayed enforcement, and continued the Receivership and the terms of the above orders.
7. On August 19, 2019, Justice Penny issued two Orders. The first approved the sale of three Saleable Properties, to be vested in their respective purchasers on closing, and authorized a distribution of the sale proceeds to the municipality for outstanding property taxes and to the first mortgagee on each of the Saleable Properties sold, Meridian Credit Union Limited. The second Order authorized and empowered the Receiver to sell two additional Properties.
8. On September 3, 2019, Justice Penny approved the fees and disbursements of the Receiver and its counsel, Naymark Law, up to June 30, 2019 and July 31, 2019, respectively.
9. Pursuant to paragraph 3 of the March Order, the Receiver was required to create Segregated Accounts (as defined therein) for each of the Properties as set out in Schedule B of the March Order.
10. Prior to April 1, 2019 all fees and expenses were charged to one account (hereinafter described as “**General Fees and Costs**”). Since April 1, 2019, fees and costs have continued to be charged to General Fees and Costs where not specifically allocable to any one Property.

11. A summary of the General Fees and Costs for the period of July 1, 2019 to August 31, 2019 is attached as "**Exhibit 1**". The total of the Receiver's fees as outlined in Exhibit 1 is \$186,860.00 together with, H.S.T. on fees of \$24,291.80 and disbursements (including HST) of \$3,145.66, the sum of which equals \$214,297.46. The average hourly rate in respect of time as outlined in Exhibit 1 is \$413.06.

12. The Receiver has rendered seventeen (17) invoices for the period of July 1, 2019 to August 31, 2019 in the total amount of \$214,297.46. A copy of the invoices rendered are attached as "**Exhibit 2**".

13. This Affidavit is made in support of a motion to, *inter alia*, seek approval of the foregoing fees and disbursements as fair and reasonable.

SWORN BEFORE ME at the
City of Toronto, in the
Province of Ontario,
this 27th day of September, 2019



Commissioner for Taking Affidavits



Paul J. Denton, CA (NZ), CIRP, LIT

**AMANDA ALICIA BINELLI, A Commissioner, etc.,
Province of Ontario, for A. Farber & Partners Inc.
Expires: October 19, 2021.**

This is Exhibit 7 to the Affidavit
of Paul J. Denton
Sworn before me this 27th day
of September, 2019
A Commissioner, etc.

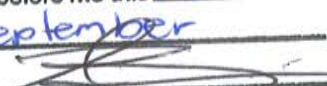
AMANDA ALICIA BINELLI, A Commissioner, etc.,
Province of Ontario, for A. Farber & Partners Inc.
Expires: October 19, 2021.

A. FARBER & PARTNERS INC.
HUTCHENS ET AL
SUMMARY OF RECEIVER'S FEES
JULY 1, 2019 TO AUGUST 31, 2019

Property/Account	Invoice No.	Invoice Period	Hours	Fees	HST on Fees	Disbursements (incl. HST)	Total Fees
General Client Account	16345	July 1, 2019 to August 31, 2019	75.50	26,662.50	3,466.13	485.86	\$ 30,614.49
110-114 Pine Street	16350	July 1, 2019 to August 31, 2019	25.63	7,838.00	1,018.94	153.78	\$ 9,010.72
1015-175 Hilda Avenue	16353	July 1, 2019 to August 31, 2019	19.93	5,930.50	770.97	119.58	\$ 6,821.05
1479 Maple Road	16354	July 1, 2019 to August 31, 2019	37.98	15,469.75	2,011.07	227.88	\$ 17,708.70
1573 Houston Avenue	16355	July 1, 2019 to August 31, 2019	33.78	14,112.25	1,834.59	202.68	\$ 16,149.52
17 Serpentine Street	16346	July 1, 2019 to August 31, 2019	20.03	5,973.00	776.49	120.18	\$ 6,869.67
1760 Cross Street	16356	July 1, 2019 to August 31, 2019	16.88	5,158.00	670.54	101.28	\$ 5,929.82
1779 Cross Street	16357	July 1, 2019 to August 31, 2019	54.33	22,724.00	2,954.12	325.98	\$ 26,004.10
1790 Cross Street	16314	July 1, 2019 to August 31, 2019	50.63	20,924.00	2,720.12	303.78	\$ 23,947.90
1889 Simcoe Blvd	16286	July 1, 2019 to August 31, 2019	46.03	18,984.00	2,467.92	276.18	\$ 21,728.10
29 Laren Street	16347	July 1, 2019 to August 31, 2019	25.23	8,050.50	1,046.57	151.38	\$ 9,248.45
33 Theodore Place	16348	July 1, 2019 to August 31, 2019	22.33	8,441.50	1,097.40	133.98	\$ 9,672.88
331 Regent Street	16351	July 1, 2019 to August 31, 2019	19.83	6,003.00	780.39	118.98	\$ 6,902.37
3415 Errington Avenue	16358	July 1, 2019 to August 31, 2019	20.93	6,375.50	828.82	125.58	\$ 7,329.90
3419 Errington Avenue	16359	July 1, 2019 to August 31, 2019	22.03	6,640.50	863.27	132.18	\$ 7,635.95
367-369 Howey Drive	16352	July 1, 2019 to August 31, 2019	20.53	6,025.50	783.32	123.18	\$ 6,932.00
42 Clemow Avenue	16349	July 1, 2019 to August 31, 2019	7.20	1,547.50	201.18	43.20	\$ 1,791.88
Total			518.80	\$ 186,860.00	\$ 24,291.80	\$ 3,145.66	\$ 214,297.46

Average Hourly Rate \$ 413.06

FARBER

This is Exhibit <u>2</u>	to the Affidavit
of <u>Paul J. Denton</u>	
Sworn before me this <u>27th</u>	day
of <u>September</u>	, 20 <u>19</u>
	
A Commissioner, etc.	

150 York Street, Suite 1600
 Toronto, ON, Canada, M5H 3S5
 T: 1.855.775.8777
 F: 416.496.3839

September 26, 2019

Hutchens

Gary & Linda Stevens & 1174365 Alberta Ltd.

c/o Justin Nepal Litigation

171 John Street, Suite 101

Toronto, ON M5T 1X3

AMANDA ALICIA BINELLI, A Commissioner, etc.,
Province of Ontario, for A. Farber & Partners Inc.
Expires: October 19, 2021.

RE: GENERAL CLIENT ACCOUNT

Invoice No. 16345

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Deal with redirected mail and sort for distribution. Meeting with P Denton to discuss collating information relating to timeline of property events.	Odeh
07/03/2019	Consulting fees - Corporate Draft correspondence to Credit card companies regarding credit card statements. Updated listing of credit cards.	Odeh
07/03/2019	Consulting fees - Corporate Call with lawyer in Texas regarding separate proceeding in US District Court, West District of Texas, San Antonio division; update to D Naymark regarding same; email response to D Naymark regarding budget of T Hutchens and request for funds and other matters.	Litwack
07/03/2019	Consulting fees - Corporate Adding additional transactions received from Meridian Bank re 4025326 to the flow of funds analysis.	Sharma
07/04/2019	Consulting fees - Corporate Completed corporate profile searches for 6078109 Canada Inc, 676501 Ontario Ltd, 1515072 Ontario Inc & Lapell Management Services Inc. Emailed letters to credit card companies.	Odeh
07/04/2019	Consulting fees - Corporate Adding additional bank transactions received from Meridian re 4330353 account to the flow of fund analysis.	Sharma

07/05/2019	Consulting fees - Corporate Deal with redirected mail.	Odeh
07/05/2019	Consulting fees - Corporate Review of the Judgement and Endorsement from Justin Nepal	Levy
07/05/2019	Consulting fees - Corporate Attended to matters relating to cheques for Tanya Hutchens and Sandy Hutchens.	Litwack
07/05/2019	Consulting fees - Corporate Adding additional transactions received from Meridian Bank re 4330353 bank account to the flow of fund analysis. Call with T Liu on status of information requests and undertakings provided by T Hutchens and S Hutchens.	Sharma
07/05/2019	Banking - Corporate Banking, posting.	Samoilov
07/08/2019	Consulting fees - Corporate Made amendments to letter to B2B bank and emailed to the bank.	Odeh
07/08/2019	Banking - Corporate Banking, posting.	Samoilov
07/09/2019	Consulting fees - Corporate Uploaded documents to the corporate engagement website.	Odeh
07/09/2019	Consulting fees - Corporate Drafted updated language for case website to reflect update to proceedings and order issued July 5.	Litwack
07/10/2019	Consulting fees - Corporate Discussions and emails with credit card providers regarding information requests.	Odeh
07/10/2019	Consulting fees - Corporate Reviewed updated budget schedule from T Hutchens; discussions with P Denton and H Levy regarding same; discussions with D Naymark regarding same; assisted with preparing notice and statement of receiver.	Litwack
07/11/2019	Consulting fees - Corporate Continued preparation of receiver's notice and statement.	Litwack
07/12/2019	Consulting fees - Corporate Continued review and drafting of receiver's initial notice and statement.	Litwack

FARBER

07/12/2019	Consulting fees - Corporate	Sharma	Reviewing the information received from Siskinds.
07/15/2019	Consulting fees - Corporate	Odeh	Dealing with redirected mail. Emails to Inn Power, TD Bank regarding further information received.
07/15/2019	Consulting fees - Corporate	Odeh	Liaise with TD bank regarding direct investing accounts. Prepared draft Notice, updated creditor listing with amounts based on mail received and Statement of Receiver, printed labels, mailed and emailed notice to creditors and faxed to the OSB.
07/15/2019	Consulting fees - Corporate	Litwack	Followed up with party claiming to be a creditor of Sandy Hutchens; reviewed information provided related to same; discussions with P Denton regarding same; assisted with completing consolidated notice and statement of receiver and issuing same; further review of Tanya Hutchens expenses and funding request; email memo regarding same to P Denton.
07/16/2019	Consulting fees - Corporate	Levy	Review of the Hutchens monthly allowance and discussions with Paul Denton and Noah Litwack
07/16/2019	Consulting fees - Corporate	Odeh	Dealing with redirected mail, scanned expenses to folder.
07/16/2019	Consulting fees - Corporate	Litwack	Reviewed updated budget and funding request; provided comments on same; discussions with P Denton and H Levy regarding same; email memo to D Naymark regarding same.
07/16/2019	Consulting fees - Corporate	Sharma	Reviewing documents to make insurance payment on the 2 SeaDoo boats and a pontoon boat.
07/16/2019	Banking - Corporate	Samoilov	Banking, posting.
07/17/2019	Consulting fees - Corporate	Litwack	Follow up with D Naymark regarding Tanya Hutchens budget and funding request.
07/17/2019	Banking - Corporate	Samoilov	Banking, posting.
07/18/2019	Consulting fees - Corporate	Levy	Review emails regarding Tanya Hutchens living expenses

FARBER

07/18/2019	Consulting fees - Corporate Updated service List on corporate engagement website.	Odeh
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/19/2019	Consulting fees - Corporate Phone call with Eric from MBNA and resent letter issued.	Odeh
07/19/2019	Consulting fees - Corporate Incorporating the details of cancelled cheques and deposits and wires in to the First Central Holdings account in the flow of fund analysis.	Sharma
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate Review of emails and follow up discussions with Paul Denton and Noah Litwack regarding Meridian, sale of properties and draft report	Levy
07/23/2019	Consulting fees - Corporate Dealing with redirected mail.	Odeh
07/23/2019	Consulting fees - Corporate Discussion with D Finlay from meridian and draft email to Meridian requesting balances at as a specific date for all accounts.	Odeh
07/23/2019	Consulting fees - Corporate Made amendments to Statement and emailed to P Denton.	Odeh
07/23/2019	Consulting fees - Corporate Updating the report of flow of funds after incorporation of all the information received re Colorado Fraud	Sharma
07/24/2019	Consulting fees - Corporate Obtained Purview reports in connection with previously sold real estate in Sudbury; discussions with team regarding same.	Litwack
07/24/2019	Consulting fees - Corporate Working on the update note on the flow of funds analysis.	Sharma
07/25/2019	Consulting fees - Corporate Discussions with team regarding legal accounts of debtors and priority of fees.	Litwack
07/25/2019	Consulting fees - Corporate Pull corporate profile search for P Denton.	Schmidt

FARBER

07/25/2019	Banking - Corporate Banking, posting.	Samoilov
07/26/2019	Consulting fees - Corporate Pull corporate profile search for P Denton.	Schmidt
07/29/2019	Consulting fees - Corporate Review of paydown to Hillmount with Noah Litwack and Paul Denton	Levy
07/30/2019	Consulting fees - Corporate Dealing with redirected mail.	Odeh
07/31/2019	Consulting fees - Corporate Numerous calls with Daniel Naymark, Paul Denton re: landlord tenant action brought by Hutchens, monthly payments to Sandy and Tanya Hutchens; Call to Justin Nepal regarding sale of Houston and Maple, Theodore Place	Levy
07/31/2019	Consulting fees - Corporate Work on project management matters; follow up property transaction information request with TL; review of matters with MS, NL, HL; revisit TH living expenses	Denton
07/31/2019	Consulting fees - Corporate Corresponding with Naymark Law on additional information received re properties	Sharma
08/01/2019	Consulting fees - Corporate Numerous emails and discussions with Paul Denton and Daniel Naymark regarding Hutchens living expenses	Levy
08/01/2019	Consulting fees - Corporate Comparison of old budget presented from T Hutchens to new budget presented; added comments and brief analysis on same; discussions with P Denton regarding same.	Litwack
08/01/2019	Banking - Corporate Banking, posting.	Samoilov
08/02/2019	Consulting fees - Corporate Meeting with P Denton re strategic forensic investigation work plan	Sharma
08/06/2019	Consulting fees - Corporate Numerous emails and discussions with Daniel Naymark, Paul Denton regarding DIP, Sandy and Tanya Hutchens and draft Court Order for Houston and Maple properties	Levy
08/06/2019	Consulting fees - Corporate Update discussion with P Denton regarding Tanya Hutchens budget approval; follow up on payment to Sandy Hutchens of monthly stipend; further analysis on Tanya Hutchens budget in memo to D Naymark and P Denton.	Litwack

FARBER

08/07/2019	Consulting fees - Corporate	Litwack	Discussions and correspondence with M Sharma regarding calls from Tanya Hutchens.
08/07/2019	Consulting fees - Corporate	Sharma	Coordinating for and call with T Hutchens re payment of monthly living expenses.
08/08/2019	Consulting fees - Corporate	Odeh	Phone call with creditor and emailed a copy of Notice & Statement of Receiver.
08/08/2019	Consulting fees - Corporate	Levy	Emails and discussions regarding Tanya Hutchens living expenses
08/08/2019	Consulting fees - Corporate	Litwack	Email follow up with D Naymark regarding various issues including Tanya Hutchens budget.
08/09/2019	Consulting fees - Corporate	Litwack	Reviewed updated draft report to court; various emails with D Naymark, P Denton and T Liu regarding redrafts and amendments to various portions of the report relating to proposed distribution of proceeds and receiver's borrowings.
08/11/2019	Consulting fees - Corporate	Litwack	Reviewed draft report to court and provided suggested revisions to portion relating to disruptive activities of the Hutchens.
08/12/2019	Consulting fees - Corporate	Levy	Review of the final draft of the Receiver report and amendments thereto; Emails with Paul Denton, Daniel Naymark and Terrence Liu
08/12/2019	Consulting fees - Corporate	Sharma	Reviewing the affidavit of fees for the court report.
08/13/2019	Consulting fees - Corporate	Levy	Finalize 4th report with Paul Denton regarding comments made on a number of the properties
08/13/2019	Banking - Corporate	Lloyd-Key	Prepared cheques as per requests.
08/13/2019	Banking - Corporate	Blunda	Check invoices, discuss same with Echa, prepare cheque requisitions,
08/14/2019	Consulting fees - Corporate	Odeh	Updated service List on Corporate engagement website.
08/14/2019	Banking - Corporate	Lloyd-Key	Prepared cheques as requested and mailed.

08/15/2019	Consulting fees - Corporate Emailed Notice & Statement of receiver to MJR Capital.	Odeh
08/16/2019	Consulting fees - Corporate Dealing with redirected mail and sending Notice of Statement and Receiver to creditors. Follow up with MBNA regarding credit card statements.	Odeh
08/19/2019	Consulting fees - Corporate Updated documents to corporate engagement website. Prepared draft for website blurb update.	Odeh
08/19/2019	Consulting fees - Corporate Reviewed Court orders issued in the morning; discussions with P Denton regarding same; reviewed and revised updated case website language.	Litwack
08/19/2019	Consulting fees - Corporate Emails and calls with Daniel Naymark regarding Sandy Hutchens legal fees and agreed upon cap	Levy
08/19/2019	Banking - Corporate Banking, posting.	Samoilov
08/20/2019	Consulting fees - Corporate Dealing with redirected mail.	Odeh
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/21/2019	Consulting fees - Corporate Update order on engagement website.	Odeh
08/21/2019	Consulting fees - Corporate Dealing with redirected mail.	Odeh
08/22/2019	Consulting fees - Corporate Review and meeting with MS re: status of banking and property transactions review and next steps; review status of Tanya Hutchens expenses with legal counsel	Denton
08/23/2019	Consulting fees - Corporate Review of banking forensic review with MS and then with HL; send e-mail to legal counsel afterwards re: Poulson and Spiro information requests	Denton
08/23/2019	Consulting fees - Corporate Dealing with redirected mail.	Odeh
08/23/2019	Consulting fees - Corporate Meeting with H Levy and P Denton re update on the flow of fund analysis	Sharma

FARBER

08/23/2019	Consulting fees - Corporate	Levy	Meeting with Paul Denton and Megha Sharma to review the transactions resulting from fraud matter
08/26/2019	Consulting fees - Corporate	Litwack	Correspondence with D Naymark regarding payment of Tanya Hutchens expenses; review of retainer agreement from Klenda regarding Pennsylvania appeal; emails with D Naymark regarding same.
08/27/2019	Consulting fees - Corporate	Odeh	Dealing with redirected mail. Scan and save relevant mail and bring to attention bank statement for S Hutchens. Phone call with T Hutchens and run down cheque payment to her.
08/27/2019	Consulting fees - Corporate	Litwack	Follow up on Sandy Hutchens expense payments; updated consolidated statement of receipts and disbursements; follow up on cash requirements and pay out of various expenses, including legal fees, receiver's borrowings, provision for capital gains taxes; addressed Tanya Hutchens expense reimbursement.
08/27/2019	Banking - Corporate	Samoilov	Banking, posting.
08/28/2019	Consulting fees - Corporate	Odeh	Email to BCU regarding transactions.
08/28/2019	Consulting fees - Corporate	Odeh	Dealing with redirected mail. Provide documents relating to insurance to Megha.
08/30/2019	Consulting fees - Corporate	Odeh	Dealing with redirected mail.
			Total for Services \$ 26,662.50
			HST on Fees <u>3,466.13</u>
			Subtotal 30,128.63
Expenses (including HST):			
Corporate Profile Search			32.86
Administrative disbursements			453.00
Total Expenses (includes HST of \$55.90)			<u>\$ 485.86</u>
Current Amount Due			<u><u>\$ 30,614.49</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
H. Levy	10.50	\$595.00	\$6,247.50
P. Denton	3.40	\$550.00	\$1,870.00
N. Litwack	17.80	\$425.00	\$7,565.00
M. Sharma	14.60	\$350.00	\$5,110.00
L. Blunda	1.50	\$220.00	\$330.00
G. Schmidt	0.20	\$200.00	\$40.00
E. Odeh	21.90	\$200.00	\$4,380.00
L. Samoilov	4.40	\$200.00	\$880.00
L. Lloyd-Key	1.20	\$200.00	\$240.00
Total	75.50		\$26,662.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 110-114 PINE STREET

Invoice No. 16350

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/02/2019	Banking - Corporate Banking, posting.	Samoilov
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

FARBER

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Binelli	Receive and enter Enbridge bill.
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Litwack	Reconciled rent deposits; various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/08/2019	Banking - Corporate	Samoilov	Banking, posting.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/09/2019	Banking - Corporate	Samoilov	Banking.
07/10/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.

FARBER

07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel
07/11/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/11/2019	Banking - Corporate	Samoilov	Banking, posting.
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/16/2019	Banking - Corporate	Samoilov	Banking, posting.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.

FARBER

07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Commence review of historical financial statements
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for subject property for payment received.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/19/2019	Consulting fees - Corporate	Odeh	Emails with GSU and Quentin regarding disconnection of service and reconnections of service.
07/19/2019	Consulting fees - Corporate	Denton	Review of historical financial statements and tax returns
07/19/2019	Consulting fees - Corporate	Litwack	Followed up with property manager and utility provider regarding account transfers on vacant units.
07/19/2019	Banking - Corporate	Samoilov	Banking, posting.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.

FARBER

07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.

FARBER

07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for second July deposit.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/29/2019	Banking - Corporate	Samoilov	Banking, posting.
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/30/2019	Banking - Corporate	Samoilov	Banking, posting.
07/31/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheets.
07/31/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
08/01/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/01/2019	Consulting fees - Corporate	Odeh	Follow up with credit card companies regarding request for statements.
08/01/2019	Consulting fees - Corporate	Denton	Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;

FARBER

08/01/2019	Consulting fees - Corporate	Sharma	Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens
08/02/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/02/2019	Consulting fees - Corporate	Denton	Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;
08/02/2019	Consulting fees - Corporate	Litwack	Reviewed and approved payment of operating expenses.
08/06/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
08/06/2019	Banking - Corporate	Samoilov	Banking, posting.
08/07/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Sharma	Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.
08/09/2019	Consulting fees - Corporate	Litwack	Reviewed and approved operating expense.
08/12/2019	Consulting fees - Corporate	Odeh	Document preparation and prepared affidavit of fees.
08/14/2019	Consulting fees - Corporate	Odeh	Continue entering cheque information into transaction listing.
08/14/2019	Consulting fees - Corporate	Denton	Review of insurance matter with broker; liaise with Quentin Seeley on same
08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.

FARBER

08/15/2019	Consulting fees - Corporate Liaise with broker and Quentin Seeley on access response to underwriters	Denton
08/19/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved utilities expense payments.	Litwack
08/27/2019	Consulting fees - Corporate Email correspondence regarding Notice of Public Hearing to Northkey property management.	Odeh
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Consulting fees - Corporate Follow up on statement received for operating expense.	Litwack
08/27/2019	Banking - Corporate Banking.	Samoilov
08/27/2019	Banking - Corporate Prepared cheque requests and prepared the cheques.	Lloyd-Key
08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov
Total for Services		\$ 7,838.00
HST on Fees		<u>1,018.94</u>
Subtotal		8,856.94
Administrative disbursements (includes HST of \$17.69)		<u>\$ 153.78</u>
Current Amount Due		<u><u>\$ 9,010.72</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	5.30	\$550.00	\$2,915.00
N. Litwack	2.20	\$425.00	\$935.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.70	\$200.00	\$740.00
E. Odeh	5.50	\$200.00	\$1,100.00
L. Samoilov	5.50	\$200.00	\$1,100.00
L. Lloyd-Key	0.90	\$200.00	\$180.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	25.63		\$7,838.00



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1479 MAPLE ROAD

Invoice No. 16354

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals; check on status of boat shed demolition/ permit	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Consulting fees - Corporate discussions with Daniel Naymark regarding Maple Road and call with Keegan Boyd re: Tanya Hutchen position on the property	Levy

FARBER

07/03/2019	Consulting fees - Corporate Follow up with property manager regarding maintenance to property; email memo to D Naymark regarding responses to concerns on listing property for same and other matters.	Litwack
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh
07/04/2019	Consulting fees - Corporate Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS; liaise with Heather Jones of Lifestyle Realty re: level of interest	Denton
07/04/2019	Consulting fees - Corporate Call with Jack Samuels regarding interest in the property; Discussions with Daniel Naymark regarding Siskinds approval and Necpal discussions regarding Houston and Maple; Discussions with Paul Denton	Levy
07/05/2019	Consulting fees - Corporate Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site	Denton
07/05/2019	Banking - Corporate Banking, posting.	Samoilov
07/08/2019	Consulting fees - Corporate Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;	Denton
07/08/2019	Consulting fees - Corporate Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.	Sharma
07/08/2019	Banking - Corporate Banking.	Samoilov

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07/09/2019	Consulting fees - Corporate	Denton	Call with Tanya Hutchens to review the proposal to list 1573 Houston and 1479 Maple in place of 33 Theodore Place; liaise with legal counsel and Farber team on same; call with Miller Thomson to confirm discussion, consensus reached with Tanya Hutchens; call with Heather Jones of Lifestyle Realty on listing 1573 Houston and 1479 Maple
07/09/2019	Consulting fees - Corporate	Levy	Various emails and calls with Paul Denton, Daniel Naymark and Noah Litwack regarding Hutchen position and sale of properties
07/09/2019	Consulting fees - Corporate	Litwack	Followed up with Town of Innisfil regarding permit for demolition of boat house; followed up with contractor and property manager regarding same; discussions with P Denton regarding same.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Consulting fees - Corporate	Denton	Review of status with NL; follow up with Lake Simcoe Conservation Authority re: demolition permit; review updated listing for 1479 provided by H Jones Lifestyle Realty
07/10/2019	Consulting fees - Corporate	Litwack	Correspondence with D Naymark regarding appraisal valuations; correspondence with property manager regarding demolition of boat house.
07/11/2019	Consulting fees - Corporate	Denton	liaise with Heather Jones Lifestyle Realty re: tree removal, boat shed demolition
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel
07/11/2019	Consulting fees - Corporate	Litwack	Followed up with property manager and contractor regarding completion of demolition of the boat house; discussions with P Denton regarding same.
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.

07/15/2019	Consulting fees - Corporate	Odeh	Liaise with InnPower regarding correspondence received.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Call with H Jones regarding re-listing and current level of interest; review maintenance status lawns, boat house demolition and tree removal on property line
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses; all with H Jones regarding relisting process
07/17/2019	Consulting fees - Corporate	Litwack	Various correspondence with contractor and property manager regarding boathouse demolition and general property maintenance requirements in advance of a sale process.
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.

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07/18/2019	Consulting fees - Corporate	Denton	Call with F Rubinoff party interested in 1479 Maple; review and follow up property management issues including quotation to demolish and remove boat house
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Call from interested party; discussion with P Denton regarding same.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH; follow up the status of listing; follow completion of boat shed demolition and removal
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/23/2019	Consulting fees - Corporate	Odeh	Responding to email from InnPower.
07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.

07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS; follow up listing approval with legal counsel; review of ongoing property maintenance
07/25/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Levy	Emails and discussions with Justin Necpal regarding moving forward on the sale of the properties

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07/29/2019	Consulting fees - Corporate	Litwack	Drafted analysis regarding projected cash creation from sale of subject property and using proceeds to pay out mortgage on 33 Theodore property; discussions with P Denton and H Levy regarding same.
07/29/2019	Consulting fees - Corporate	Denton	Follow up release for sale of 1479 Maple; check with property maintenance
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/30/2019	Consulting fees - Corporate	Litwack	Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings.
07/31/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheets.
07/31/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/31/2019	Consulting fees - Corporate	Levy	Call to Justin Necpal regarding sale of Houston and Maple, Theodore Place
07/31/2019	Consulting fees - Corporate	Denton	Follow up with Justin Necpal Re: consent to list sell 1479 Maple; update Heather Jones on same
08/01/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/01/2019	Consulting fees - Corporate	Odeh	Follow up with credit card companies regarding request for statements.
08/01/2019	Consulting fees - Corporate	Denton	Work on various parties' consent to list 1479 Maple; work with NL and liaise throughout the day with the realtor Heather Jones on listing agreement

08/01/2019	Consulting fees - Corporate	Denton	Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;
08/01/2019	Consulting fees - Corporate	Levy	Discussions and emails with Justin Necpal regarding approval on the Houston and Maple properties and the Theodore assignment
08/01/2019	Consulting fees - Corporate	Litwack	Reviewed suggested listing price from agent with appraised value; discussions with P Denton regarding same; reviewed and revised draft agreement of purchase and sale and schedules for inclusion with sale process.
08/01/2019	Consulting fees - Corporate	Sharma	Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens
08/02/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/02/2019	Consulting fees - Corporate	Denton	Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order; review listing agreement with NL, Heather Jones; call with Fred Rubinoff
08/02/2019	Consulting fees - Corporate	Litwack	Signed off on listing agreements; email to real estate agent regarding previous interest in subject property; email update to Hillmount regarding pending sale process and payout of receiver's borrowings.
08/06/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
08/06/2019	Consulting fees - Corporate	Levy	numerous emails and discussions with Daniel Naymark, Paul Denton regarding DIP, Sandy and Tanya Hutchens and draft Court Order for Houston and Maple properties

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08/06/2019	Consulting fees - Corporate	Litwack	Various emails with real estate agent regarding listing information for subject property; followed up on complaint from neighbour regarding falling tree branches and safety concerns; followed up with arborist regarding same; discussions with real estate agent regarding same and potential effects on sale process; various follow up emails regarding direction to real estate agent on sale process.
08/07/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/07/2019	Consulting fees - Corporate	Litwack	Reviewed listing online and provided update to H Levy regarding same.
08/08/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Levy	Review of listing agreements and discussions with Noah Litwack and Paul Denton
08/08/2019	Consulting fees - Corporate	Litwack	Reviewed invoice for boathouse demolition; discussions with P Denton regarding holdback for same; email to contractor regarding same; call with arborist regarding tree removal; call with neighbour regarding same; email follow up with both arborist and neighbour; call with real estate agent regarding tree issue; reviewed estimate from arborist with P Denton.
08/08/2019	Consulting fees - Corporate	Sharma	Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.
08/09/2019	Consulting fees - Corporate	Litwack	Reviewed and approved operating expense.
08/12/2019	Consulting fees - Corporate	Odeh	Document preparation and prepared affidavit of fees.
08/12/2019	Consulting fees - Corporate	Denton	Liaise with H Jones on listing status and showings; call with F Rubinoff potential purchaser of 1479 Maple; dealing with trees that pose a risk on the property and liaising with arborist on same
08/13/2019	Consulting fees - Corporate	Denton	Further follow up of listing status with Heather Jones; call with arborist and 1479 Maple owner regarding dangerous trees; ensure correct offer forms being used

08/14/2019	Consulting fees - Corporate	Odeh	Continue entering cheque information into transaction listing.
08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.
08/15/2019	Consulting fees - Corporate	Levy	Discussions regarding the sale of the Houston and Maple properties based on the offers received and possible sign backs
08/15/2019	Consulting fees - Corporate	Denton	Liaise with H Jones on overall status of listing and showings; review of F Rubinoff offer as presented; provide to Jerry Cusmariu for review and discuss his findings later in the day; review those findings with H Jones
08/16/2019	Consulting fees - Corporate	Denton	Review of the listing process to date; review of offer provided by Fred Rubinoff; work on counter offer with realtor Heather Jones requiring a number of turns; review with legal counsel Jerry Cusmariu; coordinate signing of offer for Heather Jones to present to Fred Rubinoff
08/19/2019	Consulting fees - Corporate	Denton	Follow up arborist work clearing trees and coordination of payment
08/19/2019	Consulting fees - Corporate	Odeh	Prepared cheque req, phone call to Lotus Tree Care, completed quote for courier.
08/19/2019	Consulting fees - Corporate	Litwack	Various discussions with P Denton regarding sale process of subject property and offers received; updated cash projection based on leading offer sale price.
08/19/2019	Banking - Corporate	Samoilov	Banking, posting.
08/20/2019	Consulting fees - Corporate	Litwack	Email with contractor regarding holdback on boathouse demolition; attempted to obtain WSIB clearance for same.
08/20/2019	Banking - Corporate	Samoilov	Banking, posting.

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08/21/2019	Consulting fees - Corporate Review of next steps with Heather Jones re: listing process; review and respond to e-mails on same; attend to request of payment from 1479 Maple re: tree clearance	Denton
08/21/2019	Banking - Corporate Banking, posting.	Samoilov
08/21/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/23/2019	Consulting fees - Corporate Updated D Naymark via email memo regarding next steps for sale process.	Litwack
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved operating expense payment.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Banking - Corporate Prepared cheque request and prepared cheque in Ascend.	Lloyd-Key
08/28/2019	Consulting fees - Corporate Correspondence with contractor regarding final bill payment and statutory declaration requirement; further correspondence with contractor regarding site maintenance.	Litwack
08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/29/2019	Consulting fees - Corporate Follow up with contractor regarding release of holdback on boathouse demolition project.	Litwack
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services \$ 15,469.75

HST on Fees 2,011.07

Subtotal 17,480.82

Administrative disbursements (includes HST of \$26.22) \$ 227.88Current Amount Due \$ 17,708.70

HST#136800752RT0001

A. FARBER & PARTNERS INC.**HUTCHENS ET AL****SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019**

Name	Total Hours	Rate Per Hour	Billing
H. Levy	3.65	\$595.00	\$2,171.75
P. Denton	12.20	\$550.00	\$6,710.00
N. Litwack	8.00	\$425.00	\$3,400.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.60	\$200.00	\$720.00
E. Odeh	5.70	\$200.00	\$1,140.00
L. Samoilov	1.80	\$200.00	\$360.00
L. Lloyd-Key	0.50	\$200.00	\$100.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	37.98		\$15,469.75



September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1573 HOUSTON AVENUE

Invoice No. 16355

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Consulting fees - Corporate Discussions with Daniel Naymark regarding Houston Avenue and call with Keegan Boyd re: Tanya Hutchen position on the property	Levy
07/03/2019	Consulting fees - Corporate email memo to D Naymark regarding responses to concerns on listing property for same and other matters.	Litwack

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07/04/2019	Consulting fees - Corporate	Odeh	Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.
07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS; liaise with Heather Jones Lifestyle Realty re current interest in the property
07/04/2019	Consulting fees - Corporate	Levy	Call with Jack Samuels regarding interest in the property; Discussions with Daniel Naymark regarding Siskinds approval and Necpal discussions regarding Houston and Maple; Discussions with Paul Denton
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/05/2019	Banking - Corporate	Samoilov	Banking, posting.
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount; liaise with H Jones realtor
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/09/2019	Consulting fees - Corporate	Denton	Call with Tanya Hutchens to review the proposal to list 1573 Houston and 1479 Maple in place of 33 Theodore Place; liaise with legal counsel and Farber team on same; call with Miller Thomson to confirm discussion, consensus reached with Tanya Hutchens; call with Heather Jones of Lifestyle Realty on listing 1573 Houston and 1479 Maple

07/09/2019	Consulting fees - Corporate	Levy	Various emails and calls with Paul Denton, Daniel Naymark and Noah Litwack regarding Hutchen position and sale of properties
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Consulting fees - Corporate	Denton	Review of updated listing as provided by Heather Jones; review of current level of interest
07/10/2019	Consulting fees - Corporate	Litwack	Followed up with D Naymark regarding appraisal valuations.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Call with H Jones regarding re-listing and current level of interest; review maintenance status lawns
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.

07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses; call with H Jones regarding relisting process
07/17/2019	Consulting fees - Corporate	Litwack	Correspondence with property manager regarding general property maintenance requirements in advance of sale process.
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Various correspondence with property manager regarding necessary landscaping in advance of sale process.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH; follow up status of listing
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.

07/23/2019	Consulting fees - Corporate Responding to email from InnPower.	Odeh
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd	Denton
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails	Denton
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh
07/25/2019	Consulting fees - Corporate Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS; follow up listing approval with legal counsel; review of ongoing property maintenance	Denton
07/25/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.	Sharma
07/26/2019	Consulting fees - Corporate Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.	Odeh
07/26/2019	Consulting fees - Corporate Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales	Denton
07/26/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli

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07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Levy	Emails and discussions with Justin Necpal regarding moving forward on the sale of the properties
07/29/2019	Consulting fees - Corporate	Litwack	Drafted analysis regarding projected cash creation from sale of subject property and using proceeds to pay out mortgage on 33 Theodore property; discussions with P Denton and H Levy regarding same.
07/29/2019	Consulting fees - Corporate	Denton	Follow up release for sale of 1479 Maple; check with property maintenance
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/30/2019	Consulting fees - Corporate	Litwack	Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings.
07/31/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheets.
07/31/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/31/2019	Consulting fees - Corporate	Levy	Call to Justin Necpal regarding sale of Houston and Maple, Theodore Place
07/31/2019	Consulting fees - Corporate	Denton	Follow up with Justin Necpal Re: consent to list sell 1573 Houston; update Heather Jones on same

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08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Work on various parties' consent to list 1573 Houston; work with NL and liaise throughout the day with the realtor Heather Jones on listing agreement	Denton
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order; review of listing agreement with NL, Heather Jones	Denton
08/01/2019	Consulting fees - Corporate Discussions and emails with Justin Necpal regarding approval on the Houston and Maple properties and the Theodore assignment	Levy
08/01/2019	Consulting fees - Corporate Reviewed suggested listing price from agent with appraised value; discussions with P Denton regarding same; reviewed and revised draft agreement of purchase and sale and schedules for inclusion with sale process.	Litwack
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses; signed off on listing agreements; email to real estate agent regarding previous interest in subject property; email update to Hillmount regarding pending sale process and payout of receiver's borrowings.	Litwack

08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Consulting fees - Corporate numerous emails and discussions with Daniel Naymark, Paul Denton regarding DIP, Sandy and Tanya Hutchens and draft Court Order for Houston and Maple properties	Levy
08/06/2019	Consulting fees - Corporate Various emails with real estate agent regarding listing information for subject property; various follow up emails regarding direction to real estate agent on sale process.	Litwack
08/06/2019	Banking - Corporate Banking, posting.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/07/2019	Consulting fees - Corporate Reviewed listing online and provided update to H Levy regarding same.	Litwack
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Review of listing agreements and discussions with Noah Litwack and Paul Denton	Levy
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/09/2019	Consulting fees - Corporate Reviewed and approved operating expense.	Litwack
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Consulting fees - Corporate Liaise with H Jones on listing status and showings;	Denton
08/12/2019	Consulting fees - Corporate Email from interested party of subject property; emails with P Denton regarding same.	Litwack
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh

FARBER

08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.
08/15/2019	Consulting fees - Corporate	Levy	Discussions regarding the sale of the Houston and Maple properties based on the offers received and possible signbacks
08/15/2019	Consulting fees - Corporate	Denton	Review of Maierovits offer from Perry Greunburger; liaise with H Jones re: missing form C with additional receiver terms; follow up and send to legal counsel Jerry Cusmariu; review of other offers, prospects; provide update to group
08/15/2019	Consulting fees - Corporate	Litwack	Discussions with P Denton regarding offer on subject property.
08/16/2019	Consulting fees - Corporate	Denton	Review of 3 offers received; liaise with Heather Jones on same; check parties contacted; provide update to the group
08/19/2019	Consulting fees - Corporate	Denton	Review of 3 offers received; work on update and sign back of offer from Maierovits through review of drafts with the listing agent Heather Jones; provide a copy to Jerry Cusmariu for review; review with HL, NL
08/19/2019	Consulting fees - Corporate	Litwack	Various discussions with P Denton regarding sale process of subject property and offers received; updated cash projection based on leading offer sale price.
08/20/2019	Consulting fees - Corporate	Denton	Throughout day attending to finalization of the offer for 1573 Houston with Maierovits offer including review and signing offer signed back by Maierovits; provide to legal counsel Jerry Cusmariu for review; review of efforts to obtain deposit
08/20/2019	Banking - Corporate	Samoilov	Open a new bank account; setup the bank account in Ascend; banking, posting.
08/21/2019	Consulting fees - Corporate	Denton	Review of some final document signing on deal with P Gruenburger client
08/21/2019	Consulting fees - Corporate	Litwack	Reviewed emails regarding sale process and offer for acceptance; followed up with real estate agent regarding sale process.

FARBER

08/21/2019	Consulting fees - Corporate	Levy	Review of the FMV for 1573 Houston property
08/22/2019	Consulting fees - Corporate	Litwack	Follow up with real estate agent regarding representation documents; followed up with J Cusmariu regarding waiver of solicitor review condition; confirmation to purchaser of solicitor review condition waiver; various emails with P Denton regarding same.
08/23/2019	Consulting fees - Corporate	Litwack	Signed off on solicitor's review condition waiver; update to Hillmount on sale process; update to D Naymark regarding accepted offer.
08/26/2019	Consulting fees - Corporate	Odeh	
08/27/2019	Consulting fees - Corporate	Sharma	Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.
08/28/2019	Consulting fees - Corporate	Litwack	Correspondence with site supervisor regarding maintenance and pending sale transaction.
08/30/2019	Consulting fees - Corporate	Samoilov	Banking, posting.
Total for Services			\$ 14,112.25
HST on Fees			<u>1,834.59</u>
Subtotal			15,946.84
Administrative disbursements (<i>includes HST of \$23.32</i>)			\$ <u>202.68</u>
Current Amount Due			<u>\$ 16,149.52</u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
H. Levy	4.15	\$595.00	\$2,469.25
P. Denton	11.70	\$550.00	\$6,435.00
N. Litwack	5.60	\$425.00	\$2,380.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.00	\$200.00	\$600.00
E. Odeh	5.00	\$200.00	\$1,000.00
L. Samoilov	1.80	\$200.00	\$360.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	33.78		\$14,112.25



September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 17 SERPENTINE STREET

Invoice No. 16346

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Personal Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS	Denton

07/04/2019	Consulting fees - Corporate	Odeh	Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/05/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoices and approved for payment.
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Litwack	Various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/08/2019	Banking - Corporate	Samoilov	Banking.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel

FARBER

07/11/2019	Consulting fees - Corporate Reviewed outstanding waste removal invoice and approved for payment.	Litwack
07/11/2019	Banking - Corporate Banking, posting.	Samoilov
07/15/2019	Consulting fees - Corporate Update BMO cheque track sheet.	Binelli
07/15/2019	Consulting fees - Corporate Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.	Sharma
07/16/2019	Consulting fees - Corporate	Denton
07/16/2019	Consulting fees - Corporate Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.	Sharma
07/17/2019	Consulting fees - Corporate Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.	Odeh
07/17/2019	Consulting fees - Corporate Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses	Denton
07/17/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/18/2019	Consulting fees - Corporate Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH	Denton
07/18/2019	Consulting fees - Corporate Reconciled rent receipts for subject property for payment received.	Litwack

FARBER

07/18/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/19/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/19/2019	Consulting fees - Corporate Response to creditor query.	Litwack
07/19/2019	Banking - Corporate Banking, posting.	Samoilov
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;	Denton
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd	Denton
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails	Denton
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh

FARBER

07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Litwack	Emails with E Odeh regarding reconciliation of rent from commercial tenant.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/25/2019	Banking - Corporate	Samoilov	Banking, posting.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for second July deposit.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/29/2019	Banking - Corporate	Samoilov	Banking, posting.

07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Banking - Corporate Banking, posting.	Samoilov
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli

08/06/2019	Banking - Corporate Banking, posting.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Emails with the tenant regarding plumbing issue; follow up with property manager regarding same; various follow up with the tenant regarding same.	Litwack
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/09/2019	Consulting fees - Corporate Reviewed and approved operating expense.	Litwack
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved repair and maintenance expense payment.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Banking - Corporate Prepared cheque request and prepared cheque in Ascend.	Lloyd-Key

08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services	\$	5,973.00
HST on Fees		<u>776.49</u>
Subtotal		6,749.49

Administrative disbursements (<i>includes HST of \$13.83</i>)	\$	<u>120.18</u>
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Current Amount Due	\$	<u><u>6,869.67</u></u>
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HST#136800752RT0001

A. FARBER & PARTNERS INC.**HUTCHENS ET AL**

SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	3.30	\$550.00	\$1,815.00
N. Litwack	2.00	\$425.00	\$850.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.60	\$200.00	\$720.00
E. Odeh	4.60	\$200.00	\$920.00
L. Samoilov	3.50	\$200.00	\$700.00
L. Lloyd-Key	0.50	\$200.00	\$100.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	20.03		\$5,973.00



150 York Street, Suite 1600
 Toronto, ON, Canada, M5H 3S5
 T: 1.855.775.8777
 F: 416.496.3839

September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1760 CROSS STREET

Invoice No. 16356

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Personal Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Follow up with property manager regarding maintenance to property.	Litwack
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

FARBER

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount; follow up access with NL
07/08/2019	Consulting fees - Corporate	Litwack	Followed up on obtaining a key, taking possession and addressing insurance concerns.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/09/2019	Consulting fees - Corporate	Litwack	Followed up with property manager to address clean-up and visits to property.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Consulting fees - Corporate	Litwack	Correspondence with property manager regarding attendance at premises.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel

07/11/2019	Consulting fees - Corporate	Litwack	Followed up with property manager regarding regular attendance and property maintenance.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH

FARBER

07/18/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;	Denton
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Responding to email from InnPower.	Odeh
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd	Denton
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails	Denton
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh
07/25/2019	Consulting fees - Corporate Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;	Denton
07/25/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli

07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/31/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheets.
07/31/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
08/01/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/01/2019	Consulting fees - Corporate	Odeh	Follow up with credit card companies regarding request for statements.

08/01/2019	Consulting fees - Corporate	Denton	Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;
08/01/2019	Consulting fees - Corporate	Sharma	Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens
08/02/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/02/2019	Consulting fees - Corporate	Denton	Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;
08/02/2019	Consulting fees - Corporate	Litwack	Reviewed and approved payment of operating expenses.
08/06/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
08/06/2019	Consulting fees - Corporate	Litwack	Followed up on operating expense payment.
08/06/2019	Banking - Corporate	Samoilov	Banking, posting.
08/07/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Sharma	Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.
08/09/2019	Consulting fees - Corporate	Litwack	Reviewed and approved operating expense.

FARBER

08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/20/2019	Banking - Corporate Pen a new bank account; setup the bank account in Ascend.	Samoilov
08/21/2019	Banking - Corporate Banking, posting.	Samoilov
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved maintenance expense payment.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/28/2019	Consulting fees - Corporate Correspondence with site supervisor regarding site maintenance going forward.	Litwack
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking, posting.	Samoilov
Total for Services		\$ 5,158.00
HST on Fees		<u>670.54</u>
Subtotal		5,828.54
Administrative disbursements (includes HST of \$11.65)		\$ <u>101.28</u>
Current Amount Due		<u><u>\$ 5,929.82</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*

SUMMARY OF TIME INCURRED JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	3.35	\$550.00	\$1,842.50
N. Litwack	1.10	\$425.00	\$467.50
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	2.90	\$200.00	\$580.00
E. Odeh	5.00	\$200.00	\$1,000.00
L. Samoilov	2.00	\$200.00	\$400.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	16.88		\$5,158.00



September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1779 CROSS STREET

Invoice No. 16357

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Review 1779 lead offer and liaise with NL, realtor and legal counsel on same	Denton
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/02/2019	Consulting fees - Corporate Review of agreements of purchase and sale, appraisals and discussions with Noah Litwack, Paul Denton and Daniel Naymark	Levy
07/02/2019	Consulting fees - Corporate Emails and discussions with P Denton regarding appraisal valuations and occupation issues with Sandy Hutchens; followed up with appraiser regarding updates to same; emails and calls with real estate agent regarding offers received over the long weekend; emails with E Odeh regarding sale process obstruction instances; email memo to D Naymark as update on sale process; follow up emails to D Naymark and H Levy on new offers received over the long weekend; discussions with P Denton and Hylton regarding same; follow up discussions with real estate agent and P Denton regarding how to obtain vacant possession.	Litwack

FARBER

07/03/2019	Consulting fees - Corporate	Odeh	Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.
07/03/2019	Consulting fees - Corporate	Denton	Review of lead offer status with NL; review of e-mail exchanges with agent and legal counsel
07/03/2019	Consulting fees - Corporate	Denton	Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL
07/03/2019	Banking - Corporate	Samoilov	Banking, posting.
07/04/2019	Consulting fees - Corporate	Odeh	Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.
07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/04/2019	Consulting fees - Corporate	Denton	Review status of final offer with NL and e-mails regarding same including the vacancy issue
07/04/2019	Consulting fees - Corporate	Litwack	Emails with J Cusmariu regarding solicitor's review condition of agreement of purchase and sale; discussions regarding amendments required to agreement relating to vacant possession and other matters; reviewed and approved holding expenses on the file; responded to queries from realtor regarding inquiries from Sandy Hutchens.
07/05/2019	Consulting fees - Corporate	Denton	Review e-mail and legal review re: 1779 offer including vacant possession provisions
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site

FARBER

07/05/2019	Consulting fees - Corporate Followed up with J Cusmariu regarding vacant possession matter; emails with D Naymark regarding same and obstruction of sale process by Sandy Hutchens; update to D Naymark regarding sale process and offers on subject property.	Litwack
07/05/2019	Banking - Corporate Banking, posting.	Samoilov
07/08/2019	Consulting fees - Corporate Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;	Denton
07/08/2019	Consulting fees - Corporate Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount; check current negotiation re: vacancy issue	Denton
07/08/2019	Consulting fees - Corporate Review of emails from Noah Litwack regarding vacant possession issues and follow up call with Noah Litwack	Levy
07/08/2019	Consulting fees - Corporate Various emails and calls with real estate agent regarding vacant possession requirement by purchaser; various communication with J Cusmariu to draft language for revision of agreement of purchase and sale; back and forth with real estate agent and P Denton regarding same; email updates to D Naymark regarding same and options for obtaining vacant possession.	Litwack
07/08/2019	Consulting fees - Corporate Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.	Sharma
07/08/2019	Banking - Corporate Banking.	Samoilov
07/09/2019	Consulting fees - Corporate Check in with NL on status and vacancy issues	Denton
07/09/2019	Consulting fees - Corporate Discussions with Noah Litwack and Daniel Naymark regarding APS conditions and responses thereto including sign back of the APS	Levy

07/09/2019	Consulting fees - Corporate	Litwack	Call with J Cusmariu to discuss vacant possession issue and matters relating to obtaining same; emails with real estate agent regarding same; update to D Naymark and team regarding same; signed back agreement with revised clause relating to vacant possession.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/09/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.
07/10/2019	Consulting fees - Corporate	Denton	Review of latest terms of APS; review matters with NL
07/10/2019	Consulting fees - Corporate	Litwack	Followed up with real estate agent; provided finalized agreement of purchase and sale to D Naymark; various discussions regarding process for obtaining vacant possession.
07/10/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaison with Hillmount re: receivers borrowing; liaison with legal counsel; review of final agreement
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status

FARBER

07/16/2019	Consulting fees - Corporate	Litwack	Started drafting receiver's fourth report to court; liaised with real estate agent for confirmation of sale process and marketing figures, as well as attending to closing matters; discussions with P Denton regarding same.
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Litwack	Continued report drafting regarding sale process for subject property and transaction related matters.
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Continued drafting court report section relating to sale process of subject property and obstruction of sale process; reviewed same with P Denton and revised; emailed draft report to D Naymark.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.

FARBER

07/19/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/19/2019	Consulting fees - Corporate Initial review of the receiver report and follow up comments and additions	Levy
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/19/2019	Consulting fees - Corporate Provide update on properties listed for sale with Meridian mortgages and then call with Flett Beccario legal counsel for Meridian	Denton
07/19/2019	Consulting fees - Corporate Updated listing chart; conference call with A D'Amico and JR MacFarlane, counsel for Meridian CU, regarding sale process and projected distribution.	Litwack
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH; review of LTB action commenced by Sandy Hutchens; review of Hutchens obstruction of sales	Denton
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/22/2019	Consulting fees - Corporate Emails from Noah Litwack regarding Hutchen interference on the sale of the properties	Levy
07/22/2019	Consulting fees - Corporate Correspondence with D Naymark regarding obtaining court time for approval of sales and other matters; summary email to J Cusmariu regarding pending sale of subject property; various discussions with J Cusmariu regarding Landlord Tenant Board application received from Sandy Hutchens; reviewed separation agreement as it relates to occupation or tenancy of the subject property; correspondence with real estate agent regarding Sandy Hutchens queries; various emails with D Naymark and P Denton regarding pending closing of sale transaction and other matters.	Litwack
07/23/2019	Consulting fees - Corporate Responding to email from InnPower.	Odeh

FARBER

07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Litwack	Various discussions regarding obstruction issues; drafting of memo regarding timeline and incidences of same; started drafting analysis relating to proposed distribution of sale proceeds.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales; review of LTB action by Sandy Hutchens re: 1779 Cross; coordinate response with legal counsel

FARBER

07/26/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli
07/26/2019	Consulting fees - Corporate Continued drafting memo for Hillmount regarding proposed paydown of receiver's certificate borrowings; discussions with P Denton regarding same; revisions to same; email to D Falcione regarding same; finalized memo of obstruction efforts by the debtors.	Litwack
07/26/2019	Consulting fees - Corporate Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.	Sharma
07/29/2019	Consulting fees - Corporate Various discussions with P Denton and H Levy regarding pay down of receiver's borrowings using proceeds from the sale of the subject property and others, as well as a proposed distribution to Meridian, the town in respect of property taxes, and a reserve for other charges and trust claims.	Litwack
07/29/2019	Consulting fees - Corporate Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL	Denton
07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Consulting fees - Corporate Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings.	Litwack
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh

08/01/2019	Consulting fees - Corporate	Denton	Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;
08/01/2019	Consulting fees - Corporate	Sharma	Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens
08/02/2019	Consulting fees - Corporate	Binelli	Update TD banking spreadsheet.
08/02/2019	Consulting fees - Corporate	Denton	Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;
08/02/2019	Consulting fees - Corporate	Litwack	Update to Hillmount regarding closing of subject property and payout of receiver's borrowings.
08/06/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
08/07/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Litwack	Various follow up with D Naymark regarding court report and pending sale transaction of subject property.
08/08/2019	Consulting fees - Corporate	Sharma	Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.
08/09/2019	Consulting fees - Corporate	Denton	Ongoing review of matters the week of August 9 including review of 4th report drafts re approval of Innisfil property sales and efforts to stay withdraw the LTB matter commenced by Sandy

08/09/2019	Consulting fees - Corporate	Litwack	Reviewed updated draft report to court; various emails with D Naymark, P Denton and T Liu regarding redrafts and amendments to various portions of the report relating to sale process of subject property and proposed distribution of proceeds.
08/12/2019	Consulting fees - Corporate	Odeh	Document preparation and prepared affidavit of fees.
08/12/2019	Consulting fees - Corporate	Levy	Review of the final draft of the Receiver report and amendments thereto; Emails with Paul Denton, Daniel Naymark and Terrence Liu
08/12/2019	Consulting fees - Corporate	Denton	Extensive time working on the 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd; drafting and coordination of appendices and confidential schedules; liaising with legal counsel throughout the day; review of matters with HL; review of matters with Meridian legal counsel Flett Beccario; compiling fee affidavit
08/12/2019	Consulting fees - Corporate	Litwack	Assisted with putting together report and appendices.
08/13/2019	Consulting fees - Corporate	Denton	Attend to finalization of 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd including liaison with legal counsel throughout the morning;
08/14/2019	Consulting fees - Corporate	Odeh	Continue entering cheque information into transaction listing.
08/14/2019	Consulting fees - Corporate	Denton	Review, consider e-mail re SH opposition to Innisfil property sales forwarded by legal counsel
08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.
08/15/2019	Consulting fees - Corporate	Denton	Review and respond to ongoing negotiations with among DN and Phil Smith for Sandy H regarding opposition to sales approvals and process to address; review with HL
08/16/2019	Consulting fees - Corporate	Levy	Numerous discussions and emails with Paul Denton and Daniel Naymark regarding Sandy Hutchens request for appraisal and costs to be borne by the estate

FARBER

08/16/2019	Consulting fees - Corporate	Denton	Through Aug 16, 17 and 18 review and input into protocol for additional appraisal to address Sandy Hutchens opposition to 3 Innisfil sales transactions including review of numerous e-mails on same; review of draft order on same; liaison with the proposed realtor Barbara Hughes on same; liaise with the tenants of 1790 Cross and 1889 Simcoe to enable access on Monday Aug 19;
08/19/2019	Consulting fees - Corporate	Denton	Liaison with Barbara Matthews regarding appraisal parameters; monitor if access obtained to 1779 on Monday; follow up at end of day
08/19/2019	Consulting fees - Corporate	Litwack	Reviewed Court order issued in the morning relating to sale approval of subject property; discussions with P Denton regarding obtaining updated appraisal on subject property, the requirement of Sandy Hutchens to vacate the premises by end of September and possible opposition to sale and other matters; drafted email memo to Hillmount regarding same; telephone correspondence with Hillmount regarding same; reviewed cash position relating to payout of Hillmount receiver's borrowings.
08/19/2019	Consulting fees - Corporate	Levy	Discussions and emails with Daniel Naymark and Paul Denton regarding the appraisal request from Sandy Hutchens to determine whether value is appropriate
08/20/2019	Consulting fees - Corporate	Denton	Liaise with appraiser Barbara Hughes re: status of access and respond to queries
08/20/2019	Consulting fees - Corporate	Denton	Liaise with appraiser Barbara Hughes re: status of access and respond to queries
08/20/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for July 2019.
08/21/2019	Consulting fees - Corporate	Denton	Several follow up calls and e-mails to appraiser Barbara Hughes to ensure access to 1779 Cross
08/22/2019	Consulting fees - Corporate	Denton	Follow up with Appraiser Barbara Hughes re: status of 2nd appraisal for 3 Innisfil properties
08/23/2019	Consulting fees - Corporate	Denton	Working on 2nd appraisal with Barbara Hughes; update Farber team on same; update realtor; liaison with B Hughes r: finalization; draft and provide e-mail to legal counsel for use with the service list; follow up with legal counsel on August 24; review of e-mail to the service list

08/23/2019	Consulting fees - Corporate	Litwack	Reviewed new appraisal; updated Hillmount on transaction status; updated D Naymark on same and email memo regarding next steps for closing transaction.
08/26/2019	Consulting fees - Corporate	Odeh	Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.
08/26/2019	Consulting fees - Corporate	Litwack	Reviewed and approved appraisal fee expense payment; email follow up with real estate counsel regarding finalization of court approval of transaction pending and items required for closing.
08/27/2019	Consulting fees - Corporate	Sharma	Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.
08/27/2019	Consulting fees - Corporate	Litwack	Update memo to D Naymark regarding cash availability and cash flow requirements going forward after closing the sale transaction; email follow up with real estate counsel regarding property tax and other closing issues; email and call with real estate agent regarding various closing matters, including extension of closing date.
08/27/2019	Banking - Corporate	Lloyd-Key	Prepared cheque request and prepared cheque in Ascend.
08/28/2019	Consulting fees - Corporate	Litwack	Follow up with site supervisor regarding property maintenance going forward and pending sale transaction.
08/28/2019	Banking - Corporate	Samoilov	Banking, posting.
08/29/2019	Consulting fees - Corporate	Litwack	Reviewed email from S Hutchens regarding insurance claim by I Mills.
08/30/2019	Consulting fees - Corporate	Odeh	Scan and save LTD withdrawal of hearing and emailed to management.

Total for Services \$ 22,724.00

HST on Fees 2,954.12

Subtotal 25,678.12

Administrative disbursements (*includes HST of \$37.50*) \$ 325.98Current Amount Due \$ 26,004.10

HST#136800752RT0001

A. FARBER & PARTNERS INC.**HUTCHENS ET AL****SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019**

Name	Total Hours	Rate Per Hour	Billing
H. Levy	4.30	\$595.00	\$2,558.50
P. Denton	12.50	\$550.00	\$6,875.00
N. Litwack	24.10	\$425.00	\$10,242.50
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.50	\$200.00	\$700.00
E. Odeh	5.20	\$200.00	\$1,040.00
L. Samoilov	1.20	\$200.00	\$240.00
L. Lloyd-Key	1.00	\$200.00	\$200.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	54.33		\$22,724.00



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September 17, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1790 CROSS STREET

Invoice No. 16314

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent.	Rabinovitch
07/02/2019	Consulting fees - Corporate Review 1790 lead offer and liaise with NL, realtor and legal counsel on same.	Denton
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals.	Denton
07/02/2019	Consulting fees - Corporate Review of agreements of purchase and sale, appraisals and discussions with Noah Litwack, Paul Denton and Daniel Naymark.	Levy
07/02/2019	Consulting fees - Corporate Emails and discussions with P Denton regarding appraisal valuations and tenancy issues; followed up with appraiser regarding updates to same; emails and calls with real estate agent regarding current offer; email memo to D Naymark as update on sale process; follow up emails to D Naymark on closing requirements and court approval requirement; discussions with P Denton and Hylton regarding same; emails with real estate agent regarding requirement for flexible closing date; reviewed and signed off on agreement of purchase and sale.	Litwack

07/02/2019	Banking - Corporate Banking, posting.	Samoilov
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of lead offer status with NL; review of e-mail exchanges with agent and legal counsel.	Denton
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL.	Denton
07/03/2019	Consulting fees - Corporate Review of email from Noah Litwack regarding sign back and discussions regarding vacant possession.	Levy
07/03/2019	Consulting fees - Corporate Emails with J Cusmariu regarding review of agreement of purchase and sale to satisfy seller's solicitor review condition; review email not from J Cusmariu with P Denton, D Naymark and H Levy; email response to J Cusmariu on confirmation of keeping the tenant and other matters.	Litwack
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh
07/04/2019	Consulting fees - Corporate Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS.	Denton
07/04/2019	Consulting fees - Corporate Review status of final offer with NL and e-mails regarding same.	Denton
07/04/2019	Consulting fees - Corporate Email follow up with J Cusmariu regarding solicitor's review of agreement of purchase and sale; reviewed and provided suggestions for revisions to the agreement	Litwack

to the realtor for sending to the purchaser; responded to queries from realtor regarding inquiries from Sandy Hutchens.

07/05/2019	Consulting fees - Corporate	Denton	Review e-mail and legal review re: 1790 offer including vacant possession provisions.
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site.
07/05/2019	Consulting fees - Corporate	Levy	Emails with Noah Litwack and Daniel Naymark regarding offer and condition discussions.
07/05/2019	Consulting fees - Corporate	Litwack	Discussions with P Denton regarding buyer's conditions pending.
07/05/2019	Banking - Corporate	Samoilov	Banking, posting.
07/08/2019	Consulting fees - Corporate	Litwack	Discussions with real estate agent regarding closing matters; discussions with P Denton regarding vacant possession; emails with J Cusmariu regarding same; drafted letter of reference for tenants; email to tenants regarding matters relating to the closing on the property.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/09/2019	Consulting fees - Corporate	Denton	Check in with NL on status and vacancy issues.
07/09/2019	Consulting fees - Corporate	Levy	Discussions with Noah Litwack and Daniel Naymark regarding APS conditions and responses thereto including sign back of the APS.
07/09/2019	Consulting fees - Corporate	Litwack	Followed up with tenant regarding closing matters.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding

information. Discussion with Paul re the same.
Corresponding the Naymark Law on the updated
outstanding information requests and undertakings.

07/10/2019	Consulting fees - Corporate	Denton	Review of latest terms of APS; review matters with NL.
07/10/2019	Consulting fees - Corporate	Litwack	Followed up with real estate agent regarding purchaser's waiving of conditions; correspondence with real estate agent regarding mold issue in attic and further negotiations on purchase price; discussions with P Denton and H Levy regarding same; email update to D Naymark regarding same; call with D Naymark regarding real estate sales and other closing matters.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel; review of final agreement.
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status.
07/16/2019	Consulting fees - Corporate	Litwack	Started drafting receiver's fourth report to court; liaised with real estate agent for confirmation of sale process and marketing figures, as well as attending to closing matters; discussions with P Denton regarding same.
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	

Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses.

07/17/2019	Consulting fees - Corporate	Litwack
	Continued report drafting regarding sale process for subject property and transaction related matters.	
07/17/2019	Consulting fees - Corporate	Sharma
	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	
07/18/2019	Consulting fees - Corporate	Odeh
	Recording banking information into excel for transaction review for Northern Capital Account.	
07/18/2019	Consulting fees - Corporate	Litwack
	Continued drafting receiver's report to court relating to sale process of subject property and related relief requested; reviewed same with P Denton and revised; emailed draft report to D Naymark.	
07/18/2019	Consulting fees - Corporate	Sharma
	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	
07/19/2019	Consulting fees - Corporate	Binelli
	Update banking spreadsheet.	
07/19/2019	Consulting fees - Corporate	Levy
	Initial review of the receiver report and follow up comments and additions.	
07/19/2019	Consulting fees - Corporate	Odeh
	Document preparation.	
07/19/2019	Consulting fees - Corporate	Denton
	Provide update on properties listed for sale with Meridian mortgages and then call with Flett Baccario legal counsel for Meridian.	
07/19/2019	Consulting fees - Corporate	Litwack
	Updated listing chart; conference call with A D'Amico and JR MacFarlane, counsel for Meridian CU, regarding sale process and projected distribution.	
07/22/2019	Consulting fees - Corporate	Odeh
	Document preparation.	

07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/22/2019	Consulting fees - Corporate Emails from Noah Litwack regarding Hutchen interference on the sale of the properties.	Levy
07/22/2019	Consulting fees - Corporate Correspondence with D Naymark regarding obtaining court time for approval of sales and other matters; summary email to J Cusmariu regarding pending sale of subject property; correspondence with real estate agent regarding Tanya Hutchens contacting the tenant of the subject property; various emails with D Naymark and P Denton regarding pending closing of sale transaction and other matters.	Litwack
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd.	Denton
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Discussions with D Naymark regarding Tanya Hutchens contacting tenant of subject property; email to tenant to inquire about same; calls with tenant regarding Tanya Hutchens showing up unannounced at the subject property and trying to get the tenant to sign a new lease; further discussions with D Naymark and P Denton regarding same.	Litwack
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails.	Denton
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/24/2019	Consulting fees - Corporate Email to D Naymark and team regarding update on Tanya Hutchens approaching the tenant of the subject property; reviewed closing matters to address with J Cusmariu; emailed tenant with questions regarding chattels on site and other matters relating to the transaction; further emails with J Cusmariu regarding exclusion of chattels in agreement of purchase and sale.	Litwack

07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Litwack	Started drafting analysis relating to proposed distribution of sale proceeds.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales.
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Continued drafting memo for Hillmount regarding proposed paydown of receiver's certificate borrowings; discussions with P Denton regarding same; revisions to same; email to D Falcione regarding same; finalized memo of obstruction efforts by the debtors.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Various discussions with P Denton and H Levy regarding pay down of receiver's borrowings using proceeds from the sale of the subject property and others, as well as a proposed distribution to Meridian, the town in respect of property taxes, and a reserve for other charges and trust claims.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified

properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL.

07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Consulting fees - Corporate Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings.	Litwack
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions.	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens.	Sharma
08/01/2019	Banking - Corporate Banking, posting.	Samoilov
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and	Denton

Sisikinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order.

08/02/2019	Consulting fees - Corporate	Litwack	Followed up with real estate counsel regarding closing issues and extension of same; followed up with real estate agent regarding same; update to Hillmount regarding closing of subject property and payout of receiver's borrowings; call with real estate agent on extension to closing date; emails and call with real estate lawyer regarding extension of closing date.
08/06/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
08/07/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/07/2019	Banking - Corporate	Samoilov	Banking.
08/08/2019	Consulting fees - Corporate	Odeh	entering cheque information into excel for transaction review.
08/08/2019	Consulting fees - Corporate	Litwack	Various emails with J Cusmariu's office regarding extension to closing date to allow for court approval; followed up with real estate agent regarding same; follow up with D Naymark regarding court report draft.
08/08/2019	Consulting fees - Corporate	Sharma	Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.
08/09/2019	Consulting fees - Corporate	Denton	Ongoing review of matters the week of August 9 including review of 4th report drafts re approval of Innisfil property sales.
08/09/2019	Consulting fees - Corporate	Litwack	Reviewed updated draft report to court; various emails with D Naymark, P Denton and T Liu regarding redrafts and amendments to various portions of the report relating to sale process of subject property and proposed distribution of proceeds.
08/12/2019	Consulting fees - Corporate	Odeh	Document preparation and prepared affidavit of fees.
08/12/2019	Consulting fees - Corporate	Levy	Review of the final draft of the Receiver report and

amendments thereto; Emails with Paul Denton, Daniel Naymark and Terrence Liu.

08/12/2019	Consulting fees - Corporate	Denton	Extensive time working on the 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd; drafting and coordination of appendices and confidential schedules; liaising with legal counsel throughout the day; review of matters with HL; review of matters with Meridian legal counsel Flett Beccario; compiling fee affidavit.
08/12/2019	Consulting fees - Corporate	Litwack	Assisted with putting together report and appendices.
08/13/2019	Consulting fees - Corporate	Denton	Attend to finalization of 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd including liaison with legal counsel through the morning.
08/14/2019	Consulting fees - Corporate	Odeh	Continue entering cheque information into transaction listing.
08/14/2019	Consulting fees - Corporate	Denton	Review, considered mail re SH opposition to Innisfil property sales forwarded by legal counsel.
08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and emails sent to M Sharma.
08/15/2019	Consulting fees - Corporate	Denton	Review and respond to ongoing negotiations with among DN and Phil Smith for Sandy H regarding opposition to sales approvals and process to address; review with HL.
08/16/2019	Consulting fees - Corporate	Levy	Numerous discussions and emails with Paul Denton and Daniel Naymark regarding Sandy Hutchens request for appraisal and costs to be borne by the estate.
08/16/2019	Consulting fees - Corporate	Denton	Through Aug 16, 17 and 18 review and input into protocol for additional appraisal to address Sandy Hutchens opposition to 3 Innisfil sales transactions including review of numerous e-mails on same; review of draft order on same; liaison with the proposed realtor Barbara Hughes on same; liaise with the tenants of 1790 Cross and 1889 Simcoe to enable access on Monday Aug 19.

FARBER

08/19/2019	Consulting fees - Corporate	Denton	Liaison with Barbara Matthews regarding appraisal parameters and reconfirming appointment for access to 1790 Cross Street on Monday afternoon; follow up at end of day.
08/19/2019	Consulting fees - Corporate	Litwack	Reviewed Court order issued in the morning relating to sale approval of subject property; discussions with P Denton regarding obtaining updated appraisal on subject property and possible opposition to sale and other matters; drafted email memo to Hillmount regarding update on sale approval process; telephone correspondence with Hillmount regarding same; reviewed cash position relating to payout of Hillmount receiver's borrowings.
08/19/2019	Consulting fees - Corporate	Levy	Discussions and emails with Daniel Naymark and Paul Denton regarding the appraisal request from Sandy Hutchens to determine whether value is appropriate.
08/21/2019	Consulting fees - Corporate	Denton	Several follow up calls and e-mails to appraiser Barbara Hughes.
08/21/2019	Banking - Corporate	Samoilov	Banking, posting.
08/21/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for July 2019.
08/22/2019	Consulting fees - Corporate	Denton	Follow up with Appraiser Barbara Hughes re: status of 2nd appraisal for 3 Innisfil properties.
08/23/2019	Consulting fees - Corporate	Denton	Working on 2nd appraisal with Barbara Hughes; update Farber team on same; update realtor; liaison with B Hughes r: finalization; draft and provide e-mail to legal counsel for use with the service list; follow up with legal counsel on August 24; review of e-mail to the service list.
08/23/2019	Consulting fees - Corporate	Litwack	Reviewed new appraisal; updated Hillmount on transaction status; updated D Naymark on same and email memo regarding next steps for closing transaction.
08/26/2019	Consulting fees - Corporate	Odeh	Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.
08/26/2019	Consulting fees - Corporate	Litwack	

Reviewed and approved appraisal fee expense payment; email follow up with real estate counsel regarding finalization of court approval of transaction pending and items required for closing.

08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Consulting fees - Corporate Update memo to D Naymark regarding cash availability and cash flow requirements going forward after closing the sale transaction; email follow up with real estate counsel regarding property tax and other closing issues; email and call with real estate agent regarding various closing matters, including waiver of court approval condition and extension of closing date.	Litwack
08/27/2019	Banking - Corporate Bank reconciliation.	Lloyd-Key
08/28/2019	Consulting fees - Corporate Email follow up with tenant regarding update on the situation.	Litwack
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services	\$ 20,924.00
HST on Fees	<u>2,720.12</u>
Subtotal	23,644.12

Photocopies, faxes, etc. (includes HST of \$34.95)	<u>\$ 303.78</u>
Current Amount Due	<u>\$ 23,947.90</u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
H. Levy	4.80	\$595.00	\$2,856.00
P. Denton	10.00	\$550.00	\$5,500.00
N. Litwack	22.40	\$425.00	\$9,520.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.50	\$200.00	\$700.00
E. Odeh	4.90	\$200.00	\$980.00
L. Samoilov	2.00	\$200.00	\$400.00
L. Lloyd-Key	0.50	\$200.00	\$100.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	50.63		\$20,924.00



September 13, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 1889 SIMCOE BLVD

Invoice No. 16286

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/02/2019	Consulting fees - Corporate Review of agreements of purchase and sale, appraisals and discussions with Noah Litwack, Paul Denton and Daniel Naymark	Levy
07/02/2019	Consulting fees - Corporate Emails and discussions with P Denton regarding appraisal valuations and tenancy issues; emails and calls with real estate agent regarding lawyer's comments on the agreement of purchase and sale; email memo to D Naymark as update on sale process; reviewed and executed revised offer and waiver for agreement of purchase and sale.	Litwack
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate	Denton

	Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL.	
07/03/2019	Consulting fees - Corporate	Litwack
	Emails with J Cusmariu regarding review of request for vacant possession by purchaser; reviewed email note from J Cusmariu with P Denton, D Naymark and H Levy; emails to same regarding issuing N12 notice to current tenant and other related matters; email response to J Cusmariu on confirmation of keeping the tenant and other matters; call with tenant regarding vacant possession; email to real estate agent regarding tenant's proposal to purchaser to stay on as tenant to June 2020.	
07/03/2019	Banking - Corporate	Samoilov
	Banking, posting.	
07/04/2019	Consulting fees - Corporate	Odeh
	Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	
07/04/2019	Consulting fees - Corporate	Denton
	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS	
07/04/2019	Consulting fees - Corporate	Denton
	Review status of final offer with NL and e-mails regarding same	
07/04/2019	Consulting fees - Corporate	Litwack
	Responded to queries from realtor regarding inquiries from Sandy Hutchens.	
07/05/2019	Consulting fees - Corporate	Denton
	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site	
07/05/2019	Consulting fees - Corporate	Litwack
	Follow up call and emails with J Cusmariu regarding details required for closing; email to tenant regarding information required for closing of transaction; discussions with P Denton regarding same.	
07/05/2019	Banking - Corporate	Samoilov

Banking, posting.

07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Litwack	Emails with real estate agent regarding closing matters; call with tenant regarding same.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/08/2019	Banking - Corporate	Samoilov	Banking.
07/09/2019	Consulting fees - Corporate	Levy	Discussions with Noah Litwack and Daniel Naymark regarding APS conditions and responses thereto including sign back of the APS
07/09/2019	Consulting fees - Corporate	Litwack	Received rent payment for July; call with tenant regarding same.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/09/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.
07/10/2019	Consulting fees - Corporate	Denton	Review of latest terms of APS; review matters with NL
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel; review of final agreement
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.

07/15/2019	Consulting fees - Corporate	Litwack	Email and call with tenant regarding closing matters; followed up with real estate agent regarding N12 notice to tenant; drafted letter of reference for tenant; prepared N12 notice for tenant.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Litwack	Started drafting receiver's fourth report to court; liaised with real estate agent for confirmation of sale process and marketing figures, as well as attending to closing matters; discussions with P Denton regarding same.
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Litwack	Continued report drafting regarding sale process for subject property and transaction related matters.
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.

07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Continued drafting receiver's report to court relating to sale process of subject property and related relief requested; reviewed same with P Denton and revised; emailed draft report to D Naymark.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Levy	Initial review of the receiver report and follow up comments and additions
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/19/2019	Consulting fees - Corporate	Denton	Provide update on properties listed for sale with Meridian mortgages and then call with Flett Baccario legal counsel for Meridian
07/19/2019	Consulting fees - Corporate	Litwack	Updated listing chart; conference call with A D'Amico and JR MacFarlane, counsel for Meridian CU, regarding sale process and projected distribution.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whitakker, 110-114 Pine Street and JDH; review of e-mails to J Cusmariu re: real estate transaction
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/22/2019	Consulting fees - Corporate	Levy	Emails from Noah Litwack regarding Hutchen

interference on the sale of the properties

07/22/2019	Consulting fees - Corporate	Litwack	Correspondence with D Naymark regarding obtaining court time for approval of sales and other matters; summary email to J Cusmariu regarding pending sale of subject property; telephone and email correspondence with tenant of subject property regarding Tanya Hutchens contacting him about signing a new lease; various emails with D Naymark and P Denton regarding pending closing of sale transaction and other matters.
07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/23/2019	Consulting fees - Corporate	Litwack	Discussions with D Naymark regarding Tanya Hutchens contacting tenant of subject property; email to tenant to inquire about same.
07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/24/2019	Consulting fees - Corporate	Litwack	Emails and follow up with J Cusmariu regarding issues to address for closing of transaction and other related matters; discussions with P Denton regarding same; followed up with tenant regarding various issues relating to vacating the premises.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.

07/25/2019	Consulting fees - Corporate	Litwack	Started drafting analysis relating to proposed distribution of sale proceeds.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Continued drafting memo for Hillmount regarding proposed paydown of receiver's certificate borrowings; discussions with P Denton regarding same; revisions to same; email to D Falcione regarding same; finalized memo of obstruction efforts by the debtors.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Various discussions with P Denton and H Levy regarding pay down of receiver's borrowings using proceeds from the sale of the subject property and others, as well as a proposed distribution to Meridian, the town in respect of property taxes, and a reserve for other charges and trust claims.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL

FARBER

07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Consulting fees - Corporate Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings.	Litwack
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/01/2019	Banking - Corporate Banking, posting.	Samoilov
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Update to Hillmount regarding closing of subject	Litwack

	property and payout of receiver's borrowings.	
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/07/2019	Banking - Corporate Banking.	Samoilov
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Various follow up with D Naymark regarding court report and pending sale transaction of subject property.	Litwack
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/09/2019	Consulting fees - Corporate Ongoing review of matters the week of August 9 including review of 4th report drafts re approval of Innisfil property sales	Denton
08/09/2019	Consulting fees - Corporate Reviewed updated draft report to court; various emails with D Naymark, P Denton and T Liu regarding redrafts and amendments to various portions of the report relating to sale process of subject property and proposed distribution of proceeds.	Litwack
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Consulting fees - Corporate Review of the final draft of the Receiver report and amendments thereto; Emails with Paul Denton, Daniel Naymark and Terrence Liu	Levy
08/12/2019	Consulting fees - Corporate Extensive time working on the 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd; drafting and coordination of appendices and confidential schedules; liaising with legal counsel throughout the day; review of matters with HL; review of matters with Meridian legal counsel Flett Beccario; compiling fee affidavit	Denton
08/12/2019	Consulting fees - Corporate	Litwack

Assisted with putting together report and appendices.

08/13/2019	Consulting fees - Corporate	Denton	Attend to finalization of 4th report to court re approval of 3 Innisfil property sales 1779 and 1790 Cross and 1889 Simcoe Blvd including liaison with legal counsel throughout the morning;
08/14/2019	Consulting fees - Corporate	Odeh	Continue entering cheque information into transaction listing.
08/14/2019	Consulting fees - Corporate	Denton	Review, consider-mail re SH opposition to Innisfil property sales forwarded by legal counsel
08/15/2019	Consulting fees - Corporate	Odeh	Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and emails sent to M Sharma.
08/15/2019	Consulting fees - Corporate	Denton	Review and respond to ongoing negotiations with among DN and Phil Smith for Sandy H regarding opposition to sales approvals and process to address; review with HL
08/16/2019	Consulting fees - Corporate	Levy	Numerous discussions and emails with Paul Denton and Daniel Naymark regarding Sandy Hutchens request for appraisal and costs to be borne by the estate
08/16/2019	Consulting fees - Corporate	Denton	Through Aug 16, 17 and 18 review and input into protocol for additional appraisal to address Sandy Hutchens opposition to 3 Innisfil sales transactions including review of numerous e-mails on same; review of draft order on same; liaison with the proposed realtor Barbara Hughes on same; liaise with the tenants of 1790 Cross and 1889 Simcoe to enable access on Monday Aug 19;
08/19/2019	Consulting fees - Corporate	Denton	Liaison with Barbara Matthews regarding appraisal parameters and reconfirming appointment for access to 1889 Simcoe Street on Monday afternoon; follow up at end of day
08/19/2019	Consulting fees - Corporate	Litwack	Reviewed Court order issued in the morning relating to sale approval of subject property; discussions with P Denton regarding obtaining updated appraisal on subject property and possible opposition to sale and other matters; drafted email memo to Hillmount regarding update on sale approval process; telephone

correspondence with Hillmount regarding same;
reviewed cash position relating to payout of Hillmount
receiver's borrowings.

08/19/2019	Consulting fees - Corporate	Levy	Discussions and emails with Daniel Naymark and Paul Denton regarding the appraisal request from Sandy Hutchens to determine whether value is appropriate
08/20/2019	Consulting fees - Corporate	Denton	Liaise with appraiser Barbara Hughes re: status of access and respond to queries
08/21/2019	Consulting fees - Corporate	Denton	Several follow up calls and e-mails to appraiser Barbara Hughes on status of appraisals
08/21/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for July 2019.
08/22/2019	Consulting fees - Corporate	Denton	Follow up with Appraiser Barbara Hughes re: status of 2nd appraisal for 3 Innisfil properties
08/22/2019	Consulting fees - Corporate	Litwack	Reviewed updated appraisal received.
08/23/2019	Consulting fees - Corporate	Denton	Working on 2nd appraisal with Barbara Hughes; update Farber team on same; update realtor; liaison with B Hughes re: finalization; draft and provide e-mail to legal counsel for use with the service list; follow up with legal counsel on August 24; review of e-mail to the service list
08/23/2019	Consulting fees - Corporate	Litwack	Reviewed new appraisal; updated Hillmount on transaction status; updated D Naymark on same and email memo regarding next steps for closing transaction.
08/26/2019	Consulting fees - Corporate	Odeh	Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.
08/26/2019	Consulting fees - Corporate	Litwack	Reviewed and approved appraisal fee expense payment; email follow up with real estate counsel regarding finalization of court approval of transaction pending and items required for closing.
08/27/2019	Consulting fees - Corporate	Sharma	Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.

FARBER

08/27/2019 Consulting fees - Corporate Litwack
Update memo to D Naymark regarding cash availability and cash flow requirements going forward after closing the sale transaction; email follow up with real estate counsel regarding property tax and other closing issues; email and call with real estate agent regarding various closing matters, including waiver of court approval condition.

08/27/2019 Banking - Corporate Lloyd-Key

08/29/2019 Banking - Corporate Samoilov
Banking, posting.

Total for Services	\$ 18,984.00
HST on Fees	<u>2,467.92</u>
Subtotal	21,451.92

Photocopies, faxes, etc. (includes HST of \$31.77)	\$ <u>276.18</u>
Current Amount Due	\$ <u>21,728.10</u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS ET AL

SUMMARY OF TIME INCURRED JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
H. Levy	3.80	\$595.00	\$2,261.00
P. Denton	10.40	\$550.00	\$5,720.00
N. Litwack	19.00	\$425.00	\$8,075.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.50	\$200.00	\$700.00
E. Odeh	4.80	\$200.00	\$960.00
L. Samoilov	1.30	\$200.00	\$260.00
L. Lloyd-Key	0.70	\$200.00	\$140.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	46.03		\$18,984.00



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 29 LAREN STREET

Invoice No. 16347

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/02/2019	Banking - Corporate Banking, posting.	Samoilov
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/05/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/05/2019	Banking - Corporate	Samoilov	Banking, posting.
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount; call with insurance broker on renewal premium
07/08/2019	Consulting fees - Corporate	Litwack	Reconciled rent deposits; reconciled previously unreconciled rent deposits; various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/08/2019	Banking - Corporate	Samoilov	Banking, posting.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Consulting fees - Corporate	Denton	Liaise with insurance broker on insurance renewal for 29 Laren; review premium options

07/10/2019	Banking - Corporate Bank reconciliation for June 2019.	Lloyd-Key
07/11/2019	Consulting fees - Corporate Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel	Denton
07/11/2019	Consulting fees - Corporate Reviewed outstanding utilities invoice and approved for payment.	Litwack
07/11/2019	Banking - Corporate Banking, posting.	Samoilov
07/15/2019	Consulting fees - Corporate Update BMO cheque track sheet.	Binelli
07/15/2019	Consulting fees - Corporate Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.	Sharma
07/16/2019	Consulting fees - Corporate Review of insurance	Denton
07/16/2019	Consulting fees - Corporate Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status	Denton
07/16/2019	Consulting fees - Corporate Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.	Sharma
07/17/2019	Consulting fees - Corporate Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.	Odeh
07/17/2019	Consulting fees - Corporate Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses	Denton

FARBER

07/17/2019	Consulting fees - Corporate	Denton	Review banking records and follow up BMO mortgage payout/ assignment March 2016
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	In depth review of 29 Laren historical financial statements and tax returns; summarize findings and review with MS
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for subject property for payment received.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/19/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment; response to creditor query.
07/19/2019	Banking - Corporate	Samoilov	Banking, posting.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH; dealing with insurance renewal

07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd; review of insurance renewal	Denton
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Addressed maintenance request for unit 11 of subject property.	Litwack
07/23/2019	Consulting fees - Corporate Reviewing the insurance policy, rates for financing and funds in the account to decide the source of funds to be used to make the payment. Coordinating with D L Deeks for the payment of the policy amount due.	Sharma
07/23/2019	Banking - Corporate Banking, posting.	Samoilov
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails	Denton
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh
07/25/2019	Consulting fees - Corporate Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;	Denton
07/25/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.	Sharma
07/26/2019	Consulting fees - Corporate Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.	Odeh

FARBER

07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for second July deposit; follow up with property manager regarding replacement of refrigerator.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/29/2019	Banking - Corporate	Samoilov	Banking, posting.
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.
07/30/2019	Banking - Corporate	Samoilov	Banking, posting.
07/31/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheets.
07/31/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions.

FARBER

08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Banking - Corporate Banking, posting.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma

FARBER

08/09/2019	Consulting fees - Corporate Reviewed and approved operating expense.	Litwack
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/13/2019	Banking - Corporate Prepared cheque as per request.	Lloyd-Key
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved utilities expense payment.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Banking - Corporate	Lloyd-Key
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov
Total for Services		\$ 8,050.50
HST on Fees		<u>1,046.57</u>
Subtotal		9,097.07
Administrative disbursements (includes HST of \$17.42)		\$ <u>151.38</u>
Current Amount Due		\$ <u><u>9,248.45</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	5.90	\$550.00	\$3,245.00
N. Litwack	2.30	\$425.00	\$977.50
M. Sharma	2.83	\$350.00	\$990.50
A. Binelli	3.10	\$200.00	\$620.00
E. Odeh	5.10	\$200.00	\$1,020.00
L. Samoilov	4.80	\$200.00	\$960.00
L. Lloyd-Key	1.10	\$200.00	\$220.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	25.23		\$8,050.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 33 THEODORE PLACE

Invoice No. 16348

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

FARBER

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site; review of listing Houston now instead of Theodore
07/05/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/09/2019	Consulting fees - Corporate	Denton	Call with Tanya Hutchens to review the proposal to list 1573 Houston and 1479 Maple in place of 33 Theodore Place; liaise with legal counsel and Farber team on same; review of living expenses
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/10/2019	Consulting fees - Corporate	Denton	Further review of TH expense requirements and listing of 1573 Houston and 1479 Maple instead of 33 Theodore

07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel; liaison with Tanya Hutchens re: living expenses
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Follow up work around pause of listing of 33 Theodore Place to be replaced by listing of 1573 Houston and 1479 Maple; speak to Heather Jones on same;
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses; working on pause on listing with 1573 Houston and 1479 Maple to be listed in place of and assignment of 33 Theodore Meridian mortgage to Receiver
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.

FARBER

07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/19/2019	Consulting fees - Corporate	Denton	Provide update on properties listed for sale with Meridian mortgages and then call with Flett Beccario legal counsel for Meridian, specifically to provide background on pause on sale of 33 Theodore with sale of 1573 Houston and 1479 Maple
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH; review of Hutchens obstruction of sales
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.

07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales; review of Sandy Hutchens action re: LTB regarding 33 Theodore
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL

07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Consulting fees - Corporate Drafted email with analysis to Hillmount regarding proposed paydown of receiver's borrowings and reserve for Meridian mortgage on subject property.	Litwack
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/31/2019	Consulting fees - Corporate Call to Justin Necpal regarding sale of Houston and Maple, Theodore Place	Levy
07/31/2019	Consulting fees - Corporate Review of negotiations with Meridian re: mortgage assignment 33 Theodore and quid pro-quo re: sale of 1573 Houston and 1479 Maple;	Denton
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Discussions and emails with Justin Necpal regarding approval on the Houston and Maple properties and the Theodore assignment	Levy
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli

08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of utilities expense.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Banking - Corporate Banking, posting.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/13/2019	Consulting fees - Corporate Dealing with TH living expenses; review of mail	Denton
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/14/2019	Consulting fees - Corporate Work on TH living expenses; review e-mails and calls; draft and provide e-mail to Siskinds and J Necpal; attend to review of one-off expenses Hyundai Santé Fe service, bumper repair	Denton
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/15/2019	Consulting fees - Corporate Further work on TH expenses; review of order re: court approval to list and sell 1573 Houston and 1479 Maple instead of 33 Theodore	Denton

FARBER

08/19/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/20/2019	Consulting fees - Corporate Multiple calls with Tanya Hutchens regarding living expenses	Denton
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/23/2019	Consulting fees - Corporate Brief NL on TH expenses	Denton
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/30/2019	Banking - Corporate Banking.	Samoilov
Total for Services		\$ 8,441.50
HST on Fees		<u>1,097.40</u>
Subtotal		9,538.90
Administrative disbursements (<i>includes HST of \$15.41</i>)		<u>\$ 133.98</u>
Current Amount Due		<u><u>\$ 9,672.88</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
H. Levy	0.80	\$595.00	\$476.00
P. Denton	9.10	\$550.00	\$5,005.00
N. Litwack	0.50	\$425.00	\$212.50
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.50	\$200.00	\$700.00
E. Odeh	5.20	\$200.00	\$1,040.00
L. Samoilov	0.50	\$200.00	\$100.00
L. Lloyd-Key	0.20	\$200.00	\$40.00
S. Rabinovitch	0.10	\$175.00	\$17.50
Total	22.33		\$8,441.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 3415 ERRINGTON AVENUE

Invoice No. 16358

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/02/2019	Banking - Corporate Banking, posting.	Samoilov
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

FARBER

07/04/2019	Consulting fees - Corporate Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS	Denton
07/05/2019	Consulting fees - Corporate Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site	Denton
07/05/2019	Consulting fees - Corporate Reviewed outstanding utilities invoices and approved for payment.	Litwack
07/05/2019	Banking - Corporate Banking, posting.	Samoilov
07/08/2019	Consulting fees - Corporate Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;	Denton
07/08/2019	Consulting fees - Corporate Reconciled rent deposits; reconciled previously unreconciled deposits; various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.	Litwack
07/08/2019	Consulting fees - Corporate Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.	Sharma
07/08/2019	Banking - Corporate Banking, posting.	Samoilov
07/09/2019	Consulting fees - Corporate Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.	Sharma
07/09/2019	Banking - Corporate Banking.	Samoilov
07/10/2019	Banking - Corporate Bank reconciliation for June 2019.	Lloyd-Key

07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel; follow up insurance loss prevention issues
07/11/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/11/2019	Banking - Corporate	Samoilov	Banking, posting.
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.

FARBER

07/18/2019	Consulting fees - Corporate	Odeh	Recording banking information into excel for transaction review for Northern Capital Account.
07/18/2019	Consulting fees - Corporate	Denton	Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH
07/18/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for subject property for payment received.
07/18/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.
07/19/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/19/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/19/2019	Consulting fees - Corporate	Denton	Review of historical financial statements and tax returns
07/19/2019	Consulting fees - Corporate	Litwack	Correspondence with property manager regarding garbage and recycling issue.
07/22/2019	Consulting fees - Corporate	Odeh	Document preparation.
07/22/2019	Consulting fees - Corporate	Denton	As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;
07/22/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/23/2019	Consulting fees - Corporate	Denton	Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd
07/23/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.

07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoices and approved for payment.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.

07/29/2019	Consulting fees - Corporate Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL; follow up insurance loss control items being actioned	Denton
07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Banking - Corporate Banking, posting.	Samoilov
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/31/2019	Consulting fees - Corporate Follow up review property manager report and actioning of insurance items	Denton
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli

FARBER

08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Nepal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Banking - Corporate Banking, posting.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma

FARBER

08/27/2019	Banking - Corporate	Lloyd-Key
08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services	\$	6,375.50
HST on Fees		<u>828.82</u>
Subtotal		7,204.32

Administrative disbursements (<i>includes HST of \$14.45</i>)	\$	<u>125.58</u>
Current Amount Due	\$	<u><u>7,329.90</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS ET AL

SUMMARY OF TIME INCURRED JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	4.20	\$550.00	\$2,310.00
N. Litwack	1.60	\$425.00	\$680.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.40	\$200.00	\$680.00
E. Odeh	4.80	\$200.00	\$960.00
L. Samoilov	3.60	\$200.00	\$720.00
L. Lloyd-Key	0.70	\$200.00	\$140.00
S. Rabinovitch	0.20	\$175.00	\$35.00
Total	20.93		\$6,375.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 3419 ERRINGTON AVENUE

Invoice No. 16359

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

FARBER

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/05/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoices and approved for payment.
07/05/2019	Banking - Corporate	Samoilov	Banking, posting.
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Litwack	Reconciled rent deposits; various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/08/2019	Banking - Corporate	Samoilov	Banking, posting.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/09/2019	Banking - Corporate	Samoilov	Banking.
07/09/2019	Banking - Corporate	Lloyd-Key	Bank reconciliation for June 2019.

07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel; follow up insurance loss prevention matters
07/11/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoice and approved for payment.
07/11/2019	Banking - Corporate	Samoilov	Banking, posting.
07/15/2019	Consulting fees - Corporate	Binelli	Update BMO cheque track sheet.
07/15/2019	Consulting fees - Corporate	Sharma	Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.
07/16/2019	Consulting fees - Corporate	Denton	Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status
07/16/2019	Consulting fees - Corporate	Sharma	Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.
07/17/2019	Consulting fees - Corporate	Odeh	Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.
07/17/2019	Consulting fees - Corporate	Denton	Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses
07/17/2019	Consulting fees - Corporate	Sharma	Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.

FARBER

07/18/2019	Consulting fees - Corporate Recording banking information into excel for transaction review for Northern Capital Account.	Odeh
07/18/2019	Consulting fees - Corporate	Denton
07/18/2019	Consulting fees - Corporate Reconciled rent receipts for subject property for payment received.	Litwack
07/18/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/19/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/19/2019	Consulting fees - Corporate Review of historical tax returns and financial statements	Denton
07/19/2019	Consulting fees - Corporate Correspondence with property manager regarding garbage and recycling issue.	Litwack
07/19/2019	Banking - Corporate Banking, posting.	Samoilov
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;	Denton
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd	Denton
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli

07/24/2019	Consulting fees - Corporate	Denton	Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails
07/24/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Odeh	Categorize transactions for Northkey TD accounts.
07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoices and approved for payment.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Litwack	Reconciled rent receipts for second July deposit.

07/29/2019	Consulting fees - Corporate Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL; follow up loss control items being actioned	Denton
07/29/2019	Banking - Corporate Banking, posting.	Samoilov
07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/30/2019	Banking - Corporate Banking, posting.	Samoilov
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/31/2019	Consulting fees - Corporate Follow up review property manager report and actioning of insurance items	Denton
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma

FARBER

08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Consulting fees - Corporate Reviewed and approved payment of operating expense.	Litwack
08/06/2019	Banking - Corporate Banking.	Samoilov
08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/07/2019	Consulting fees - Corporate Addressed creditor correspondence.	Litwack
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/12/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh

FARBER

08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved utilities expense payment.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma
08/27/2019	Banking - Corporate	Lloyd-Key
08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/29/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services	\$	6,640.50
HST on Fees		<u>863.27</u>
Subtotal		7,503.77

Administrative disbursements (<i>includes HST of \$15.21</i>)	\$	<u>132.18</u>
Current Amount Due	\$	<u><u>7,635.95</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS *ET AL*SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	4.20	\$550.00	\$2,310.00
N. Litwack	1.80	\$425.00	\$765.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.40	\$200.00	\$680.00
E. Odeh	4.80	\$200.00	\$960.00
L. Samoilov	4.50	\$200.00	\$900.00
L. Lloyd-Key	0.70	\$200.00	\$140.00
S. Rabinovitch	0.20	\$175.00	\$35.00
Total	22.03		\$6,640.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 367-369 HOWEY DRIVE

Invoice No. 16352

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Consulting fees - Corporate Work on property and mortgage transaction archiving; meet and coordinate with EO; review of e-mails; liaising with insurance broker re: various renewals	Denton
07/03/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for Meridian and Sudbury Credit Union accounts and entering information into excel including categorising payments.	Odeh
07/03/2019	Consulting fees - Corporate Review of TH living expenses exchanges; review of property mortgage transaction archiving with EO; liaise with legal counsel on upcoming motion; review project matters with MS, NL	Denton
07/03/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Transaction review of bank statements for additional accounts for BMO account and entering information into excel including categorising payments.	Odeh

07/04/2019	Consulting fees - Corporate	Denton	Liaise with legal counsel to review status of Consent judgement order for July 5; review of matters with HL; review of follow on e-mails from service list regarding the consent order; review sources uses information gaps with MS
07/05/2019	Consulting fees - Corporate	Denton	Attend court in morning with legal counsel for 9:30 to get consent judgement order; coordinate payment of personal living expenses for Sandy Hutchens and Tanya Hutchens; call with Tanya Hutchens; review of tracing cash flow analysis with MS and information gaps; coordinate posting of July 5 Order to web site
07/08/2019	Consulting fees - Corporate	Denton	Review of investigation information status and gaps with MS including review of certain undertakings; attend to project management matters; follow up B2B bank confirmations with EO; liaise with Hillmount;
07/08/2019	Consulting fees - Corporate	Litwack	Various discussions with Sudbury property manager regarding tenancy rates, cash flows and maintenance required.
07/08/2019	Consulting fees - Corporate	Sharma	Reviewing the outstanding information request chart for updated information on correspondence Farber had directly with the financial institutions. Reviewing the direct US Wires shared by Langer Grogan and including the information in the flow of fund analysis.
07/09/2019	Consulting fees - Corporate	Sharma	Reviewing the undertakings given in the examination by S Hutchens and T Hutchens to check for outstanding information. Discussion with Paul re the same. Corresponding the Naymark Law on the updated outstanding information requests and undertakings.
07/09/2019	Banking - Corporate	Samoilov	Banking.
07/11/2019	Consulting fees - Corporate	Denton	Work on investigation matters including review of Tanya Hutchens June 27, 2019 examination transcript, review of Poulson client ledger, follow up Chaitons re: BMO payout, review of matters with MS; liaise with Hillmount re: receivers borrowing; liaise with legal counsel
07/11/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding waste removal invoice and approved for payment.

07/11/2019	Banking - Corporate Banking, posting.	Samoilov
07/15/2019	Consulting fees - Corporate Update BMO cheque track sheet.	Binelli
07/15/2019	Consulting fees - Corporate Preparing a summary of the documents received from Siskinds for analysis. Incorporating the details of cancelled cheques received from Siskinds in the flow of funds analysis for unknown cheques issued from the 308 Elgin Account - Colorado Analysis.	Sharma
07/16/2019	Consulting fees - Corporate Review investigation status with MS and review of Siskinds information; follow up July rents and Sudbury property status	Denton
07/16/2019	Consulting fees - Corporate Incorporating details of cancelled cheques received from Siskinds re the Colorado banking into the flow of fund analysis for Colorado fraud.	Sharma
07/17/2019	Consulting fees - Corporate Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.	Odeh
07/17/2019	Consulting fees - Corporate Call with Hillmount re: property sales status and borrowings; review investigation status with MS; review of Siskinds information on all various properties financial and other records to scope further review; review of insurance matters; review of chronology of property purchase, sale and mortgages and log key events; attend to project management matters including living expenses	Denton
07/17/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/18/2019	Consulting fees - Corporate Recording banking information into excel for transaction review for Northern Capital Account.	Odeh
07/18/2019	Consulting fees - Corporate Review of 4th draft report; review of Siskinds information re: properties and companies including historical financial statements and tax returns to scope at a high level; review of marine insurance matters re: pontoon boat and sea doos; attend to project management matters including living expenses TH	Denton

FARBER

07/18/2019	Consulting fees - Corporate Processing the information received from Siskinds. Incorporating the details of deposits and wires into the bank accounts related to Colorado Fraud.	Sharma
07/19/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/19/2019	Consulting fees - Corporate Reviewed outstanding utilities invoices and approved for payment.	Litwack
07/19/2019	Banking - Corporate Banking, posting.	Samoilov
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate As part of investigation, ongoing financial review of financial statements of property holding and other entities, including 146 Whittaker, 110-114 Pine Street and JDH;	Denton
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Review of 4th report draft sections; review of mail redirection; dealing with insurance matters; review discussion re: obstruction of sale issues related to Sandy and Tanya Hutchens with respect to 1779 Cross, 1790 Cross and 1889 Simcoe Blvd	Denton
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/24/2019	Consulting fees - Corporate Review of Poulson information received via legal counsel; as part of investigation review of financial statements for 3415, 3419 Errington and 331 Regent; calls and e-mails with legal counsel; review mail and e-mails	Denton
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh

07/25/2019	Consulting fees - Corporate	Denton	Further review of Poulson documents provided regarding purchase and sale of various properties; review of e-mail from legal counsel regarding same; review banking analysis status with MS;
07/25/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/25/2019	Consulting fees - Corporate	Sharma	Updating the Pennsylvania Summary Banking Chart and Colorado Banking Chart with the information received re follow up on the missing information.
07/26/2019	Consulting fees - Corporate	Odeh	Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.
07/26/2019	Consulting fees - Corporate	Denton	Ongoing review of Poulson documents re: property purchase and sales; review with NL update of Hillmount re: Receivers borrowings; review of banking flow of funds investigation status and coordinate call with legal counsel on same; review of NL update on obstruction of sales
07/26/2019	Consulting fees - Corporate	Binelli	Update the banking spreadsheet.
07/26/2019	Consulting fees - Corporate	Litwack	Reviewed outstanding utilities invoices and approved for payment.
07/26/2019	Consulting fees - Corporate	Sharma	Updating the flow of funds analysis with additional information received from Meridian. Updating the summary on banking analysis. Preparing and update on flow of funds analysis. Update call with Naymark Law.
07/29/2019	Consulting fees - Corporate	Denton	Further work on investigation related to Poulson and Spiro information; follow up of newly identified properties 41 Marion Street and 1485 Bancroft Street; review and compile list of missing property transaction information to provide to legal counsel for information requests; review of matters with MS; review, discuss Hillmount e-mail update with NL and HL
07/30/2019	Consulting fees - Corporate	Binelli	Update banking spreadsheet.
07/30/2019	Consulting fees - Corporate	Odeh	Inputting data in excel for transaction review and categorising transactions. Email to GSU regarding previous Hydro invoice.

07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
07/31/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Consulting fees - Corporate Follow up with credit card companies regarding request for statements.	Odeh
08/01/2019	Consulting fees - Corporate Further work on living expenses for Tanya including calls from Tanya, review of e-mails, review of matters with legal counsel; calls and e-mails with Hillmount re: consent order and terms and conditions re: Receivers borrowings; updated legal counsel on Hillmount requirements; review investigation status with MS; follow up information requests with legal counsel re: missing property transactions;	Denton
08/01/2019	Consulting fees - Corporate Updating the Flow of funds analysis with transactions through Northern Capital and JBD Hutchens	Sharma
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/02/2019	Consulting fees - Corporate Liaise with B Sachdeva, HL and legal counsel re: Tanya living expenses and delivery of cheque; deal with Sandy H monthly living expense; send e-mail to Necpal and Siskinds re: same; liaise with Hillmount; review various file matters with NL and MS; review of draft consent order;	Denton
08/02/2019	Consulting fees - Corporate Reviewed and approved payment of operating expenses.	Litwack
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/06/2019	Consulting fees - Corporate Liaise with GSU regarding incorrect charges on account. Email to Enbridge regarding outstanding invoices and request for payment.	Odeh
08/06/2019	Consulting fees - Corporate Followed up with staff regarding outstanding utilities invoices and reconciliation of pre-receivership amounts.	Litwack

08/07/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/07/2019	Consulting fees - Corporate Liaise with GSU regarding accounting issues for Hydro accounts.	Odeh
08/08/2019	Consulting fees - Corporate entering cheque information into excel for transaction review.	Odeh
08/08/2019	Consulting fees - Corporate Followed up on reconciled utilities accounts.	Litwack
08/08/2019	Consulting fees - Corporate Reviewing the financial review information on properties with the flow of fund analysis to investigate the moneys used to purchase the Hutchens' properties.	Sharma
08/09/2019	Consulting fees - Corporate Reviewed and approved operating expense.	Litwack
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/14/2019	Consulting fees - Corporate Continue entering cheque information into transaction listing.	Odeh
08/15/2019	Consulting fees - Corporate Finalise transaction listing and categorising of transactions for Canadian Funding Limited. Saved to file and email sent to M Sharma.	Odeh
08/20/2019	Banking - Corporate Banking, posting.	Samoilov
08/20/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key
08/26/2019	Consulting fees - Corporate Collating documents in file folders based on different property, individual name or company name. Title documents and split documents where required.	Odeh
08/26/2019	Consulting fees - Corporate Reviewed and approved utilities expense payments.	Litwack
08/27/2019	Consulting fees - Corporate Incorporating the Canadian Funding Limited bank statements in the Colorado flow of fund analysis.	Sharma

FARBER

08/27/2019	Consulting fees - Corporate Direction to staff regarding reconciling utilities accounts.	Litwack
08/27/2019	Banking - Corporate	Lloyd-Key
08/28/2019	Banking - Corporate Banking, posting.	Samoilov
08/30/2019	Consulting fees - Corporate Banking.	Samoilov

Total for Services	\$	6,025.50
HST on Fees		<u>783.32</u>
Subtotal		6,808.82

Administrative disbursements (includes HST of \$14.17)	\$	<u>123.18</u>
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Current Amount Due	\$	<u><u>6,932.00</u></u>
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HST#136800752RT0001

A. FARBER & PARTNERS INC.

HUTCHENS ET AL

SUMMARY OF TIME INCURRED JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
P. Denton	3.30	\$550.00	\$1,815.00
N. Litwack	1.80	\$425.00	\$765.00
M. Sharma	2.43	\$350.00	\$850.50
A. Binelli	3.40	\$200.00	\$680.00
E. Odeh	5.80	\$200.00	\$1,160.00
L. Samoilov	2.90	\$200.00	\$580.00
L. Lloyd-Key	0.70	\$200.00	\$140.00
S. Rabinovitch	0.20	\$175.00	\$35.00
Total	20.53		\$6,025.50



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September 26, 2019

Hutchens
 Gary & Linda Stevens & 1174365 Alberta Ltd
 c/o Justin Nepal Litigation
 171 John Street, Suite 101
 Toronto, ON M5T 1X3

RE: 42 CLEMOW AVENUE

Invoice No. 16349

TO PROFESSIONAL SERVICES RENDERED BY A. FARBER & PARTNERS INC. for the period ended August 31, 2019:

DATE	SERVICE	STAFF
07/02/2019	Consulting fees - Corporate Converted Hutchens BMO bank account cheques from PDF to Excel, to consolidate the data, track the flow of funds, and understand where money was spent	Rabinovitch
07/02/2019	Banking - Corporate Banking, posting.	Samoilov
07/04/2019	Consulting fees - Corporate Discussions with P Denton regarding closing of transaction and filing of receiver's certificate; follow up with J Cusmariu regarding same.	Litwack
07/08/2019	Banking - Corporate Banking.	Samoilov
07/15/2019	Consulting fees - Corporate Update BMO cheque track sheet.	Binelli
07/17/2019	Consulting fees - Corporate Updated banking details received from Keb Hana and Meridian into Transaction review spreadsheet.	Odeh
07/18/2019	Consulting fees - Corporate Recording banking information into excel for transaction review for Northern Capital Account.	Odeh
07/19/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli

FARBER

07/19/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate Document preparation.	Odeh
07/22/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/23/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/24/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/25/2019	Consulting fees - Corporate Categorize transactions for Northkey TD accounts.	Odeh
07/25/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli
07/26/2019	Consulting fees - Corporate Entering information into excel for Canadian Funding bank account. Dealing with redirected mail.	Odeh
07/26/2019	Consulting fees - Corporate Update the banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
07/30/2019	Consulting fees - Corporate Inputting data in excel for transaction review and categorising transactions.	Odeh
07/31/2019	Consulting fees - Corporate Update banking spreadsheets.	Binelli
08/01/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/01/2019	Banking - Corporate Banking, posting.	Samoilov
08/02/2019	Consulting fees - Corporate Update TD banking spreadsheet.	Binelli
08/06/2019	Consulting fees - Corporate Update banking spreadsheet.	Binelli
08/12/2019	Consulting fees - Corporate Document preparation and prepared affidavit of fees.	Odeh
08/26/2019	Banking - Corporate Bank reconciliation for July 2019.	Lloyd-Key

Total for Services	\$	1,547.50
HST on Fees		<u>201.18</u>
Subtotal		1,748.68

Administrative disbursements (<i>includes HST of \$4.97</i>)	\$	<u>43.20</u>
Current Amount Due	\$	<u><u>1,791.88</u></u>

HST#136800752RT0001

A. FARBER & PARTNERS INC.**HUTCHENS ET AL**

SUMMARY OF TIME INCURRED
JULY 1, 2019 TO AUGUST 31, 2019

Name	Total Hours	Rate Per Hour	Billing
N. Litwack	0.50	\$425.00	\$212.50
A. Binelli	3.30	\$200.00	\$660.00
E. Odeh	2.20	\$200.00	\$440.00
L. Samoilov	0.80	\$200.00	\$160.00
L. Lloyd-Key	0.20	\$200.00	\$40.00
S. Rabinovitch	0.20	\$175.00	\$35.00
Total	7.20		\$1,547.50

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at TORONTO

AFFIDAVIT OF PAUL J. DENTON

NAYMARK LAW
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Toronto, ON M5T 1X3

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tliu@naymarklaw.com

Lawyers for the Receiver,
A. Farber & Partners Inc.

Appendix 13

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

GARY STEVENS, LINDA STEVENS and 1174365 ALBERTA LTD.

Applicants

-and-

SANDY HUTCHENS, also known as SANDY CRAIG HUTCHENS, also known as S. CRAIG HUTCHENS, also known as CRAIG HUTCHENS, also known as MOISHE ALEXANDER BEN AVROHOM, also known as MOISHE ALEXANDER BEN AVRAHAM, also known as MOSHE ALEXANDER BEN AVROHOM, also known as FRED HAYES, also known as FRED MERCHANT, also known as ALEXANDER MACDONALD, also known as MATHEW KOVCE, also known as ED RYAN, and TANYA HUTCHENS, also known as TATIANA HUTCHENS, also known as TATIANA BRIK, also known as TANYA BRIK-HUTCHENS

Respondents

AFFIDAVIT OF DANIEL NAYMARK

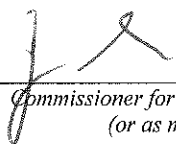
I, Daniel Naymark, of the City of Toronto, in the Province of Ontario, MAKE OATH AND STATE AS FOLLOWS:

1. I am a lawyer at Naymark Law and, as such, have knowledge of the matters to which I hereinafter depose. Naymark Law is acting as counsel for A. Farber & Partners Inc. in its capacity as court appointed Receiver (the "Receiver") of all the assets, undertakings and properties of the Respondents and certain related entities, pursuant to orders dated February 28 and March 18, 2019, as continued and expanded by subsequent orders.
2. Naymark Law has prepared one statements of account in connection with its mandate as counsel for the Receiver, detailing its services rendered and disbursements, since the accounts last approved by this Court, namely a statement of account dated August 31, 2019, in the amount

of \$23,494.04 (comprising fees of \$20,339.00, disbursements of \$489.00 and HST of \$2,666.04) in respect of the period ending August 31, 2019. Attached hereto and marked as **Exhibit "A"** is a copy of the statement of account. The hourly rates of Naymark Law lawyers for this invoice were \$550.00 and \$440.00 (\$498.50 on average);

3. I make this affidavit in support of a motion to, *inter alia*, approve the attached account of Naymark Law and the fees and disbursements detailed therein, and for no improper purpose.

SWORN BEFORE ME at the City of
Toronto, in the Province of Ontario on
October 2, 2019




Commissioner for Taking Affidavits
(or as may be)

James Gibson



DANIEL NAYMARK

THIS IS EXHIBIT A REFERRED TO
IN THE AFFIDAVIT OF DANIEL NAYMARK
SWORN BEFORE ME, THIS 2ND DAY
OF OCTOBER, 2019


A Commissioner Etc.

Statement of Fees & Disbursements

In Account with

NAYMARK LAW

171 John Street, Suite 101
Toronto, Ontario M5T 1X3
Phone: (416) 640-6078 Fax: (647) 660-5060

Invoice Number: **2000763**

Invoice Date: **August 31, 2019**

File Number: **10197**

To: **A. Farber & Partners Inc.**
Hylton Levy
150 York Street, Suite 1600
Toronto ON M5H 3S5

Matter: Sandy Hutchens and Tanya Hutchens

Contact: Daniel Naymark

Reference: **Sandy Hutchens and Tanya Hutchens**

OUR FEES - In connection with the above matter			Hours	Rate	Fees
Aug 1, 2019	DN	Emails re T. Hutchens living expenses; Calls re same and chambers appointment with T. Liu, P. Denton and H. Levy; Email to Commercial List office re consent order;	0.70	550.00	385.00
Aug 1, 2019	TL	Emails with Commercial List Trial Coordinator; Emails and call with Paul Denton; Email to J. Necpal; Emails and calls with D. Naymark;	1.10	440.00	484.00
Aug 2, 2019	DN	Emails re various;	0.40	550.00	220.00
Aug 2, 2019	DN	1573 Houston - Emails with prospective purchasers and P. Denton re Houston listing;	0.10	550.00	55.00
Aug 3, 2019	DN	Emails with N. Litwack and P. Denton re police incident;	0.10	550.00	55.00
Aug 5, 2019	DN	Revise draft order per comments received from stakeholders; Email to D. Falcone re same;	0.30	550.00	165.00
Aug 5, 2019	TL	Review and edit draft Fourth Report of the Receiver;	4.00	440.00	1,760.00
Aug 6, 2019	DN	Emails re various; Call with P. Smith; Review and revise draft information request letter to R. Poulson;	0.70	550.00	385.00
Aug 6, 2019	TL	Review and amend draft Fourth Report of the Receiver; Draft follow-up information request to Mr. Poulson;	2.40	440.00	1,056.00
Aug 7, 2019	DN	Emails re revised order; Revise same;	0.20	550.00	110.00

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In Account with
Naymark Law
 171 John Street, Suite 101
 Toronto, Ontario M5T 1X3

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		Review and revise draft letter to M. Spiro; Review email from B. Sachdeva re living expenses;			
Aug 7, 2019	TL	Amend follow-up information request to Poulson with comments from P. Denton and D. Naymark; Emails and call with P. Denton re follow-up information request to Spiro;	1.00	440.00	440.00
Aug 8, 2019	DN	1779 Cross - Emails re withdrawal of S. Hutchens LTB application;	0.10	550.00	55.00
Aug 8, 2019	DN	Emails re various; Review and revise draft fourth report;	1.30	550.00	715.00
Aug 9, 2019	DN	Emails re living expenses, writ of possession and Fourth Report;	1.50	550.00	825.00
Aug 10, 2019	DN	Revise draft report; Email re same;	1.60	550.00	880.00
Aug 11, 2019	DN	Revise fourth report; Emails re same;	0.70	550.00	385.00
Aug 12, 2019	DN	Emails re fourth report; Discuss same with T. Liu;	0.10	550.00	55.00
Aug 12, 2019	TL	Call and emails with Farber re Fourth Report; Prepare Fourth Report; Call with J. Cusmariu; Discussion with D. Naymark re Fourth Report; Prepare appendices to Fourth Report; Prepare affidavit of fees; Emails to Tony D'Amico and R. McFarlane re: Meridian payout; Prepare Notice of Motion and Motion Record;	7.40	440.00	3,256.00
Aug 13, 2019	TL	Prepare Motion Record and Brief of Confidential Appendices to the Fourth Report of the Receiver; Emails and calls with Farber re same; Arrange service and filing of Motion Record and Brief of Confidential Appendices with the Commercial List;	3.00	440.00	1,320.00
Aug 13, 2019	DN	Emails re various; Review and revise draft report and notice of motion; Call with B. Sachdeva re living expenses and new relief sought; Call with P. Denton	1.00	550.00	550.00

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In Account with
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	re living expenses;			
Aug 14, 2019 DN	Emails re T. Hutchens living expenses; Call with P. Denton re same; Call with Phil Smith re sale approval motion; Emails re same;	0.70	550.00	385.00
Aug 15, 2019 DN	Call with H. Levy and voicemail for J. Philpott re sale approval motion; Emails with H, Levy, P. Denton and P. Smith re same; Email to Commercial List office re August 19 chambers appointment; Draft order; Emails to service list and J. Cusmariu re same;	2.50	550.00	1,375.00
Aug 15, 2019 TL	Correspondence with commercial office; Instructions to process server re materials for chambers appointment;	0.20	440.00	88.00
Aug 16, 2019 DN	Emails re sale approval motion and draft order; Revise draft order;	0.80	550.00	440.00
Aug 17, 2019 DN	Emails with P. Smith and P. Denton re sale approval terms; Revise draft order; Emails re same with P. Denton, J. Cusmariu, P. Smith, and service list;	1.10	550.00	605.00
Aug 18, 2019 DN	Prepare for chambers appointment;	1.30	550.00	715.00
Aug 19, 2019 DN	Review updated title information from J. Cusmariu; Revise draft order; Emails re various; Attend chambers appointment; Arrange entry of orders;	2.80	550.00	1,540.00
Aug 20, 2019 DN	1573 Houston - Review APS and appraisal report; Emails with P. Denton re same;	0.20	550.00	110.00
Aug 20, 2019 DN	Review entered orders; Email to Service List re same;	0.10	550.00	55.00
Aug 21, 2019 DN	Emails with J. Philpott and P. Denton re T. Hutchens living expenses;	0.10	550.00	55.00
Aug 22, 2019 DN	Emails re Hutchens legal expenses;	0.20	550.00	110.00
Aug 23, 2019 DN	Emails with P. Denton and N. Litwack re appraisals conducted pursuant to August 19 order and next steps; Review	0.30	550.00	165.00

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In Account with
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	appraisal results; Emails with P. Smith re T. Hutchens living expenses;			
Aug 24, 2019 DN	Emails with Farber re next steps; Review appraisal reports; Emails re same;	0.50	550.00	275.00
Aug 25, 2019 DN	1779 Cross - Email to Vice Chair of Landlord Tenant Board confirming withdrawal of application;	0.10	550.00	55.00
Aug 26, 2019 DN	Emails re T. Hutchens living expenses and S. Hutchens legal expenses;	0.30	550.00	165.00
Aug 27, 2019 DN	Emails re Hutchens living expenses and legal fees;	0.10	550.00	55.00
Aug 28, 2019 DN	Emails re various;	0.10	550.00	55.00
Aug 29, 2019 DN	Call with C. Vegso re information request; Email re same; Emails re September 3 Court appointment; Draft order for same; Email to service list and Commercial List office re same; Voicemails with S. Klenda;	0.70	550.00	385.00
Aug 29, 2019 DN	1790 Cross - Call with J. Cusmariu re closing issue;	0.10	550.00	55.00
Aug 30, 2019 DN	Instruct T. Liu re September 3 appearance; Review emails from S. Hutchens re children's expenses and I. Mills; Email to P. Smith re same; Emails re call with C. Vegso and Farber;	0.20	550.00	110.00
Aug 31, 2019 DN	Calls with H. Levy and S. Klenda re Pennsylvania legal fees; Note to file re same; Email to H. Levy re call with S. Klenda;	0.70	550.00	385.00

Total Fees

20,339.00

DISBURSEMENTS - Incurred on your behalf

	Qty	Each	Costs
Aug 1, 2019 Corporate Profile Report searches;			99.00
Aug 18, 2019 Process server re file motion record;			70.00
Aug 18, 2019 Court filing fee re file motion record;			320.00
Total Disbursements			489.00

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In Account with
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HST Reg No: 803707447RT0001

GJE 5239

Subtotal: 20,828.00
 Harmonized Sales Tax: 2,666.04
Invoice Total: \$23,494.04
 Balance Fwd Jul 31, 2019: 193,808.99
Balance Due: \$217,303.03


Billing Summary:

Initials	Billed by	Total Hours	Rate	Total Billing
DN	Daniel Naymark	21.70	550.00	11,935.00
TL	Terrence Liu	19.10	440.00	8,404.00
Total Billing		<u>40.80</u>		<u>\$20,339.00</u>

Please make Cheque(s) payable to "Naymark Law"

*Invoices are payable when rendered.
 Interest on outstanding accounts at
 0.42% per month, 5% per annum.*

Per:


 Signature: Daniel Naymark

E&OE

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

AFFIDAVIT OF DANIEL NAYMARK

NAYMARK LAW

171 John Street, Suite 101
Toronto, ON M5T 1X3

Daniel Z. Naymark LSO#: 56889G

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Terrence Liu LSO#: 64130M

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Fax: (647) 660-5060

tliu@naymarklaw.com

Lawyers for the Receiver,
A. Farber & Partners Inc.

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

FIFTH REPORT OF THE RECEIVER

NAYMARK LAW
171 John Street, Suite 101
Toronto, ON M5T 1X3

Daniel Z. Naymark LSO#: 56889G
Tel: (416) 640-6078
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tliu@naymarklaw.com

Lawyers for the Receiver,
A. Farber & Partners Inc.

STEVENS *et al.*
Applicants

-and-

HUTCHENS *et al.*
Respondents

Court File No. CV-18-608271-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

MOTION RECORD OF THE RECEIVER
(Motion Returnable October 15, 2019)

NAYMARK LAW
171 John Street, Suite 101
Toronto, ON M5T 1X3

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Lawyers for the Receiver,
A. Farber & Partners Inc.