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COUNSEL SLIP

COURT FILE NO 31-2215095
31-2215100

DATE JAN 25, 2019

NO ON LIST 41386

TITLE OF
PROCEEDING

W. v. D
D v. W

COUNSEL FOR:

PLAINTIFF(S)

APPLICANT(S)

PETITIONER(S)

David Ward
Ann Craddock

PHONE & FAX NOS

P: (416) 869-5960
F: (416) 640-3154
dward@casselsbrock.com

P: (416) 860-6480

COUNSEL FOR:

DEFENDANT(S)

RESPONDENT(S)

PHONE & FAX NOS
F: (416) 644-9324
ecraddock@casselsbrock.com

January 25, 2019

order to go pursuant to S. 38
of The Bankruptcy and
Insolvency Act on consent
of the Trustee.
I am satisfied that the Plaintiff's
motion for a CPL in relation
to The Kendal Property and
for a preservation order
should be granted. The Plaintiff

clearly has a triable issue as to whether it has a reasonable claim to an interest in the Kendal Property. I am also satisfied that the balance of convenience favours the issuance of a CPC in favour of the Plaintiff in respect of the Kendal Property.

Further, I am satisfied that the assets of Brain II Solutions are the subject matter of this dispute and that there is a serious issue to be tried.

Given the history of Charles Hanna's activities with respect to the various "Brain" entities there is a real risk of irreparable harm: order to go on the terms of the attached.

Hardy J.