

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

THE HONOURABLE MR.

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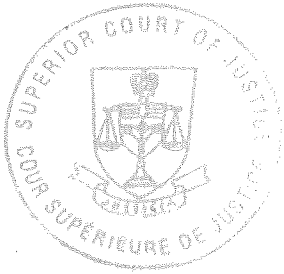
FRIDAY, THE 24TH

JUSTICE HAINEY

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DAY OF AUGUST, 2018

)



LLOYDS UNDERWRITERS and 3303128 CANADA INC.
T/A ALTERNATIVE RISK SERVICES

Applicants

- and -

RE/MAX RIGHT CHOICE INC.

Respondent

ANCILLARY ORDER

THIS MOTION, made by A. Farber & Partners Inc. ("**Farber**"), in its capacity as the Court-appointed receiver (in such capacity, the "**Receiver**") of: (a) any and all funds in the bank accounts of Toronto Right Choice Brokerage Inc. (formerly Re/Max Right Choice Inc.) (the "**Debtor**") as at the date of the Appointment Order granted by the Honourable Mr. Justice Hailey on January 8, 2018 in this proceeding (the "**Existing Funds**"), including, without limitation, any such funds affected by a Freeze Order made pursuant to section 25 of the *Real Estate and Business Brokers Act, 2002* (Ontario) (the "**Real Estate Act**") on November 1, 2017 (the "**Freeze Order**"); and (b) any and all real estate commissions owing to the Debtor (the "**Go-Forward Commissions**"), and together with the Go-Forward Commissions, the "**Property**"), for an order, amongst other things: (i) approving the First Report of the Receiver dated August 9, 2018 (the "**First Report**") and the conduct and activities of the Receiver described therein; (ii)

approving the fees and disbursements of the Receiver and its counsel; and (iii) granting certain relief in respect of the Century 21 Heritage Sourced Funds (as defined in the First Report).

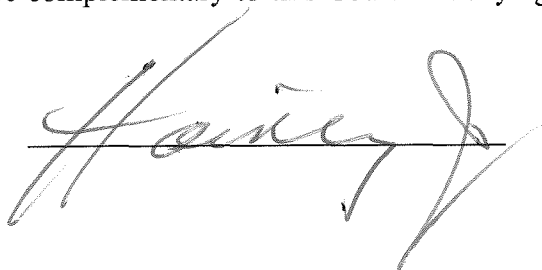
ON READING the First Report, including the fee affidavits appended thereto on behalf of the Receiver and its counsel (the “**Fee Affidavits**”), and on hearing the submissions of counsel for the Receiver and such other counsel as were present, no one appearing for any other person on the service list although duly served as appears from the affidavit of service of Susy Moniz sworn August 14, 2018,

1. **THIS COURT ORDERS** that the time for service of the notice of motion and the motion record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that the First Report and the conduct and activities of the Receiver described therein be and are hereby approved.
3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its counsel described in the Fee Affidavits be and are hereby approved.
4. **THIS COURT ORDERS** that, for the avoidance of doubt, the Century 21 Heritage Sourced Funds constitute Property (and, more specifically, the type of Property that they would have constituted, in each underlying case when they were originally paid to Century 21 Heritage Group Ltd., had they instead been paid at such time to the Debtor’s account or the Receiver’s account, as applicable).
5. **THIS COURT ORDERS AND REQUESTS** the aid and recognition of any court of any judicial, regulatory or administrative body in any province or territory of Canada (including the assistance of any court in Canada) and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province and any court or any judicial, regulatory or administrative body of the United States of America, and of any other nation or state, to act in aid of and to be complementary to this Court in carrying out the terms of this Order.

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ON / BOOK NO:
LE / DANS LE REGISTRE NO:

AUG 24 2018

PER / PAR:

**LLOYDS UNDERWRITERS and 3303128 CANADA INC.
T/A ALTERNATIVE RISK SERVICES**

- and -

RE/MAX RIGHT CHOICE INC.

Court File No. CV-17-586742-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at Toronto

ANCILLARY ORDER

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*Lawyers for A. Farber & Partners Inc., in its capacity as the Court-
appointed Receiver of the Property*