



**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.
JUSTICE MORAWETZ

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MONDAY THE 5th DAY
OF DECEMBER, 2011

**IN THE MATTER OF section 101 of
the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended**

BETWEEN:

FIRM CAPITAL MORTGAGE FUND INC.

Applicant

- and -

2811 DEVELOPMENT CORPORATION

Respondent

**ORDER AMENDING THE APPROVAL, VESTING and INTERIM
DISBURSEMENT ORDER DATED NOVEMBER 15, 2011**

THIS MOTION, made by DELOITTE & TOUCHE INC. in its capacity as the court-appointed receiver (the "**Receiver**") of certain of the assets, undertaking and property of 2811 Development Corporation (the "**Debtor**"), including the Lands described in Schedule "A" attached hereto, granted pursuant to section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended, for the relief set forth below was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Approval, Vesting and Interim Disbursement Order herein of the Honourable Mr. Justice Morawetz dated November 15, 2011 (the "**Vesting Order**"), the Fourth

Report of the Receiver dated December 1, 2011 (the “**Fourth Report**”), and on hearing the submissions of counsel for the Receiver, the Debtor, Firm Capital Mortgage Fund Inc., Key Pendragon Enterprises Inc., White Bear Developments Inc., Lombard General Insurance Company of Canada, Con-Drain Company (1983) Limited, Mady Contract Division Ltd., Terracap Investments Inc. and Mady Development Corporation, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Chun Ying Wang sworn December 2, 2011, filed,

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record dated December 2, 2011 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 Vesting Order be and it is hereby amended by deleting the words “the Purchaser” as they appear in paragraphs 3, 4 and 8 of the Vesting Order and replacing them with “Mady Steeles 2011 Ltd.”



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

DEC 0^{NB} 5 2011

PER/PAR:

NB

Schedule A

The Lands

- (a) The right, title and interest of the Debtor in the real property described as PIN No.06050-0199 (LT) being Part Lots 18 and 19, Con 5; Part Road Allowance between Lots 18 and 19, Concession 5, as closed by By-Law 406 being Part of Part 1, 66R12477 lying north of Plan 66M1996, Save and Except Part of Lots 18 and 19, Con 5, Part 1, 66R16987; City of Toronto

Toronto Land Titles Office (No. 80)

Municipally known as 5789 Steeles Avenue East, Toronto, Ontario M2M 3Y2

- (b) The right, title and interest of the Debtor in the real property described as PIN No. 06050-0266 (LT) being Part Lot 20, Conc 5 Scarborough designated as Part 1, Plan 66R23210; City of Toronto

Toronto Land Titles Office (No. 80)

Municipally known as 5811 Steeles Avenue East, Toronto, Ontario M2M 3Y2

- (c) The right, title and interest of the Debtor in the real property described as PIN No. 06050-0263 (LT) being Part Lot 19, Conc 5 Scarborough designated as Part 1, Plan 66R23217; City of Toronto

Toronto Land Titles Office (No. 80)

Municipally known as 5933 Steeles Avenue East, Toronto, Ontario M2M 3Y2

- (d) The right, title and interest of the Debtor in the real property described as PIN No. 06050-0264 (LT) being Part Lot 18, Conc 5 Scarborough; Part RDAL between Lots 18 and 19, Con 5, Scarborough (Closed by By-Law 406 as in SC608215), designated as Part 2 on Plan 66R23217; City of Toronto

Toronto Land Titles Office (No. 80)

Municipally known as 5945 Steeles Avenue East, Toronto, Ontario M2M 3Y2

- (e) The right, title and interest of the Debtor in the real property described as PIN No. 06050-0272 (LT) being Part Lot 18, Conc 5 Scarborough, Part 3 Plan 66R23217 Save and Except Part 32, Plan 66R23655, City of Toronto

Toronto Land Titles Office (No. 80)

Municipally known as 5951 Steeles Avenue East, Toronto, Ontario M2M 3Y2

FIRM CAPITAL CORPORATION

- and -

2811 DEVELOPMENT CORPORATION

Applicant

Respondent

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**PROCEEDINGS COMMENCED AT
TORONTO**

ORDER

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Solicitors for Deloitte & Touche Inc. in its
capacity as Receiver