

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

B E T W E E N:

CRH FUNDING II PTE. LTD.

Applicant

-and-

SAGE GOLD INC.

Respondent

CONSENT

The lawyers for Deloitte Restructuring Inc. in its capacity as, Court-Appointed Receiver of all of the assets, undertakings and properties of the Respondent, Sage Gold Inc., and the lawyers for Toromont Industries Ltd. carrying on business as Battlefield Equipment Rentals, the Plaintiff in Court File No. CV-18-00000097-0000 commenced in the Timmins Superior Court of Justice, consent to an Order in the form attached hereto as Schedule "A" and confirm that no party is under a disability.

Date: May 5, 2020

**TOROMONT INDUSTRIES LTD.
CARRYING ON BUSINESS AS
BATTLEFIELD EQUIPMENT
RENTALS, by its lawyers, Pallett Valo
LLP**

Per: 

Neeta Sandhu

Date: May 5, 2020

**DELOITTE RESTRUCTURING INC., in
its capacity as Court-Appointed Receiver
of SAGE GOLD INC. and not in its
personal or corporate capacity, by its
lawyers, McMillan LLP, and if necessary,
by its duly authorized agents, Pallett Valo
LLP**

For: Per: 

Stephen Brown-Okruhlik

Schedule "A"

Court File No. CV-18-601307-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) THE
JUSTICE)
)
) DAY OF , 2020

B E T W E E N:

CRH FUNDING II PTE. LTD.

Applicant

-and-

SAGE GOLD INC.

Respondent

ORDER

THIS MOTION made by Toromont Industries Ltd. carrying on business as Battlefield Equipment Rentals ("Toromont"), the Plaintiff in Court File No. CV-18-00000097-0000 commenced in the Timmins Superior Court of Justice, on consent of the Court-appointed receiver, Deloitte Restructuring Inc. (the "Receiver"), was read this day at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of Neeta Sandhu sworn May 5, 2020 and the Exhibits thereto, and the Consent of Toromont and the Receiver, filed,

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 services thereof.
2. THIS COURT ORDERS that the stay of proceedings provided for in paragraph 9 of the Order of the Honourable Justice Dunphy dated July 30, 2018 (the “Receivership Order”) in this proceeding be and hereby is lifted for the limited purpose of allowing Toromont to set down for trial the action commenced in the Timmins Superior Court of Justice bearing Court File No. CV-18-00000097-0000 (the “Lien Action”) in accordance with s.37(1) of the *Construction Act*, R.S.O. 1990, c. C.30, as it read on or before June 30, 2018.
3. THIS COURT ORDERS that a copy of this Order be filed in the court file for the Lien Action;
4. THIS COURT ORDERS that, apart from the relief in paragraph 2 of this Order, the Lien Action continues to be stayed in accordance with the Receivership Order.
5. THIS COURT ORDERS that the Lien Action not be set on any list for trial without further Order of this Court.
6. THIS COURT ORDERS that a copy of this Order shall be sent to counsel for Deloitte Restructuring Inc., the Court-Appointed Receiver of all the assets, undertakings and properties of the Defendant, Sage Gold Inc., by fax, mail or email forthwith after entry.

Signature of Judge

CRH FUNDING II PTE. LTD.
Applicant

-and- SAGE GOLD INC.
Respondent

Court File No. CV-18-601307-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

PROCEEDING COMMENCED AT
TORONTO

CONSENT

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Lawyers for Toromont Industries Ltd. carrying on business as
Battlefield Equipment Rentals

CRH FUNDING II PTE. LTD.
Applicant

-and- SAGE GOLD INC.
Respondent

Court File No. CV-18-601307-00CL

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SUPERIOR COURT OF JUSTICE
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PROCEEDING COMMENCED AT
TORONTO

ORDER

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Battlefield Equipment Rentals