

**ONTARIO
SUPERIOR COURT OF JUSTICE
[COMMERCIAL LIST]**

THE HONOURABLE MR.) WEDNESDAY, THE 1ST DAY
)
JUSTICE NEWBOULD) OF SEPTEMBER, 2010

B E T W E E N:

**DESJARDINS FINANCIAL SECURITY LIFE
ASSURANCE COMPANY**

Applicant

- and -

CRAIGLEE NURSING HOME LIMITED

Respondent

O R D E R

THIS MOTION made by **Deloitte & Touche Inc.**, Interim Receiver and Receiver and Manager over all of the current and future assets, undertakings and properties of the Respondent (in that capacity, the “**Receiver**”) for an order approving the engagement of John A. Jensen Realty Inc. by the Receiver for the marketing and sale of Craiglee Nursing Home and the other lands and premises set out in Schedule “A” attached hereto (collectively “**Craiglee**”), approving the proposed marketing and sale process for Craiglee as set out in the First Report of the Receiver dated July 30, 2010 (the “**First Report**”), confirming and approving the actions and activities of the Receiver to the date of First Report, including its pre-Receivership activities; and approving the fees for services rendered by the Receiver for the period from April 13, 2009 to

May 31, 2010, the fees and disbursements of Blaney, McMurtry LLP (“**Blaneys**”) for the period from February 26, 2009 to June 30, 2010 and the fees and disbursements of Gowling Lafleur Henderson LLP (“**Gowlings**”) for the period from April 15, 2009 to June 30, 2010, was heard this day at Toronto.

ON READING the First Report, the affidavit of Hartley Bricks sworn July 30, 2010, the affidavit of Chad Kopach sworn August 11, 2010 and the affidavit of Clifton Prophet sworn July 13, 2010, and upon hearing the submissions of counsel for the Applicant, no one appearing for the Respondent, the Ministry of Health & Long Term Care appearing but not opposing,

1. **THIS COURT ORDERS** that the time for service of the Receiver’s Notice of Motion returnable September 1, 2010, and related motion record be and is hereby abridged.
2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver from April 13, 2009 to May 31, 2010, of Gowlings from April 15, 2009 to June 30, 2010 and of Blaneys from February 26, 2009 to June 30, 2010 , be and are hereby approved.
3. **THIS COURT ORDERS** that the actions of the Receiver and its counsel as described in the Receiver’s First Report be and are hereby confirmed and approved.
4. **THIS COURT ORDERS** that the engagement of John A. Jensen Realty Inc. by the Receiver for the marketing and sale of Craiglee Nursing Home and the other lands and premises set out in Schedule “A” attached hereto, as well as the proposed marketing and sale process for Craiglee as set out in the First Report, be and are hereby approved.

5. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and Applicant related to this motion are payable on a full indemnity basis.

A handwritten signature in black ink, appearing to read "W. Neil J.", is positioned above a horizontal line.

SCHEDULE "A"

LEGAL DESCRIPTIONS OF PROPERTY

In respect of those land and premises municipally known as 94, 96 & 102 Craiglee Drive, Toronto, Ontario and 10 Sharpe Street, Toronto, Ontario

Consolidation of various properties being Lots 508, 509, 510, 513, 514, 523 & 524 on Plan M-388; Part of Lot 526 on Plan M-388, designated as Part 2 on Plan 66R-20226, Part of Lot 525 on Plan M-388, designated as Part 4 on Plan 66R-20226; Part of Lot 512, being the westerly 7 feet 10 inches in Plan M-388; Lot 511 (except Part 1 on Plan 66R-11153), Part of Lot 512, lying to the east of the northerly 7 feet 10 inches on Plan M-388, City of Toronto (formerly City of Scarborough), Land Titles Division of the Toronto Registry Office (No. 66), being all of PIN 06432-0413(LT).

In respect of those land and premises municipally known as 9 Vanbrugh Avenue, Toronto, Ontario

Consolidation of Various Properties:
Firstly: Part of Lot 526, Plan M-388, designated as Part 1, Plan 66R-20226;
Secondly: Part of Lot 525, Plan M-388, designated as Part 3, Plan 66R-20226;
City of Toronto (formerly City of Scarborough),
Land Titles Division of the Toronto Registry Office (No. 66),
being all of PIN 06432-0409(LT),

DESJARDINS FINANCIAL SECURITY LIFE ASSURANCE COMPANY

and

CRAIGLEE NURSING HOME LIMITED

Applicant

Respondent

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding Commenced at **TORONTO**

ORDER

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