

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MADAM
JUSTICE CONWAY

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FRIDAY, THE 8th

DAY OF MAY, 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 heard this day by videoconference due to the COVID-19 crisis.

ON READING the Affidavit of Maria Ruberto sworn May 6, 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 email forthwith.


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

ORDER

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