



SUPERIOR COURT OF JUSTICE

**COUNSEL SLIP/ENDORSEMENT**

COURT FILE NO.: CV-21-00658065-00CL DATE: November 3<sup>rd</sup> 2022

NO. ON LIST: 3

TITLE OF PROCEEDING: **THE TORONTO-DOMINION BANK v TOOLPLAS SYSTEMS  
INC. et al**

BEFORE JUSTICE: **OSBORNE**

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party, Crown:**

Name of Person Appearing	Name of Party	Contact Info
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**For Defendant, Respondent, Responding Party, Defence:**

Name of Person Appearing	Name of Party	Contact Info

**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info
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**ENDORSEMENT OF JUSTICE OSBORNE:**

1. Deloitte, in its capacity as court-appointed Receiver of the Debtors moves for an order discharging it as Receiver, unsealing the Confidential Appendices and approving its Statement of Receipts and Disbursements, its fees and disbursements and those of its counsel, and finally approving the Third Report dated October 24, 2022 and the activities described therein. Defined terms have the meaning given to them in the Motion Record and/or the Third Report.
2. The materials were served on the Service List. The relief sought today is unopposed.
3. This matter is effectively at an end, subject to final housekeeping and administrative matters to be completed by the Receiver. I am satisfied that the activities as set out in the Third Report were appropriate and are approved.
4. I am also satisfied that the fees of the Receiver and its counsel as set out in the fee affidavits of Mr. Sleeth and Mr. Moffatt respectively are appropriate, and TD as the principal creditor has approved those also.
5. The unsealing of Confidential Appendices 1, 2 and 3 of the First Report of the Receiver dated April 13, 2021 is appropriate given that the transactions have now closed. Counsel for the Receiver is directed to ensure that physical copies of those documents are deposited with the Commercial List Office to form part of the Court file if that has not already been done.
6. Order to go in the form signed by me today which is effective immediately and without the necessity of issuing and entering.

Osborne, J.