

Brown

Commercial List File Number: 11-9399-00CL	YR/CL/#####
Civil File Number:	YR/CV/#####

Date: April 14, 2014 --

**SUPERIOR COURT OF JUSTICE – COMMERCIAL LIST**  
9:30 A.M. HEARING REQUEST FORM

May 1st/14  
9:30

A	PLEASE NOTE: The 9:30 hearing procedure is only for "ex parte, urgent, scheduling and consent matters which take no longer than 10 minutes" (Practice Direction, (2002), 57 O.R. (3 <sup>rd</sup> ) 97; paragraph 25). This restriction will be enforced. This matter is (tick one or more); <input type="checkbox"/> ex parte <input type="checkbox"/> urgent <input checked="" type="checkbox"/> scheduling <input type="checkbox"/> consent <input type="checkbox"/> other (explain)
B	Short Title of Proceeding: Peoples Trust Company v. Rose of Sharon (Ontario) Retirement Community
C	Date(s) Requested: May 1, 2014
D	The following is a brief description of the matter to be considered at the 9:30 appointment: For scheduling purposes and to set a timetable for a motion for the setting aside and varying the Orders of Justice Mesbur dated April 11, 2013, September 10, 2013 and November 22, 2013.
E	The following materials will be necessary for the matter to be considered. (it is the responsibility of counsel to confirm that the proper materials are available for the Court.) <ul style="list-style-type: none"><li>Motion Record of 2383431 Ontario Inc. filed with the court on April 8, 2014</li></ul>
F	Is any Judge seized of these matters or any judicial conflicts? <input type="checkbox"/> No <input checked="" type="checkbox"/> The Honourable Justice Brown

COUNSEL FOR APPLICANT/MOVING PARTY		COUNSEL FOR OTHER PARTY	
Party	2383431 Ontario Inc. (Defendant)	Party	Peoples Trust Company (Plaintiff)
Counsel	Justin Baichoo <i>per Justin Baichoo</i>	Counsel	Clifton Prophet <i>per Clifton Prophet</i>
Address	1 West Pearce Street, Suite 505 Richmond Hill, ON L4B 3K3	Address	100 King Street West, Suite 1600 Toronto, ON M5X 1O5
Phone	(416) 512-2529	Phone	(416) 862-3509
Fax	(866) 395-9140	Fax	(416) 863-3609
E-Mail	justin@bprlitigation.com	E-Mail	clifton.prophet@gowlings.com

(IF MORE THAN 2 PARTIES INVOLVED, ADD ADDITIONAL SIGNATURES AND PARTICULARS ON REVERSE OR SEPARATE PAGE)

To be submitted to: Commercial List Office, 330 University Avenue, 7<sup>th</sup> Floor, Toronto Ontario Fax to: (416) 327-6228  
You may also convert to PDF and email to [Toronto.Commerciallist@jus.gov.on.ca](mailto:Toronto.Commerciallist@jus.gov.on.ca)

Endorsement/Disposition  See attached Yellow Endorsement Form.  
 May 1/14 ① July 14 - 3 hrs - my last - motion to set aside by 2383431 Ontario  
 ② Service of all small persons who may be affected by TC  
 Commercial Form A order sought - May 23, May 12 - 03

Confidential  
via email  
April 15/15

- ③ Service of respecting materials - May 20/15 - 18.
- ④ CXs - w/o May 26 - limit 2 hours per affidavit
- ⑤ Factors by July 9
- ⑥ Any other issues arising to be dealt with on a full 9:30

COUNSEL FOR OTHER PARTY	
Party	Deloitte & Touche Inc.(Defendant)
Counsel	Mr. Eric Golden
Address	2 Queen Street East, Suite 1500 Toronto, ON M5C 3G5
Phone	(416) 593-3927
Fax	(416) 593-5437
E-Mail	egolden@blaney.com

*EG* per Eric Golden

COUNSEL FOR OTHER PARTY	
Party	Arm's Length Claimants (Defendant)
Counsel	Mr. Mervyn Abramowitz
Address	8 King Street East, Suite 1000 Toronto, ON M5C 1B5
Phone	(416) 218-5620
Fax	(416) 306-9874
E-Mail	mabramowitz@krmc-law.com

*MA* per Mervyn Abramowitz