

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

B E T W E E N:

PEOPLES TRUST COMPANY

Applicant

- and -

ROSE OF SHARON (ONTARIO) RETIREMENT COMMUNITY

Respondent

**APPLICATION UNDER SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY ACT*,
R.S.C. 1985, c. B-3, AS AMENDED AND SECTION 101 OF THE
COURTS OF JUSTICE ACT, R.S.O 1990, c. C-43**

MOTION RECORD

Date: 18 May 2017

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INDEX

TAB

| | |
|-----------------------|---|
| Notice of Motion..... | 1 |
|-----------------------|---|

TAB 1

Court File No.: CV-11-9399-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

B E T W E E N:

PEOPLES TRUST COMPANY

Applicant

- and -

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**APPLICATION UNDER SECTION 243 OF THE *BANKRUPTCY AND INSOLVENCY ACT*,
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NOTICE OF MOTION

PEOPLES TRUST COMPANY will make a motion to the Court on Wednesday the 31st of May 2017 at 10:00 a.m., or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

1. An Order approving the condition settlement agreement with Mugungwha Homes as described in the Eighth Report of the Receiver dated 12 May 2017 (the “**Eighth Report**”);
2. Such further and other relief as this Honourable Court deems just.

THE GROUNDS FOR THE MOTION ARE:

1. The grounds set out in the Eighth Report.
2. Such further and other grounds as counsel may advise and this Honourable Court may accept.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

1. The Eighth Report; and
2. Such further and other evidence as this Honourable Court may permit.

18 May 2017

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ONTARIO
SUPERIOR COURT OF JUSTICE
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(PROCEEDING COMMENCED AT TORONTO)

NOTICE OF MOTION

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MOTION RECORD

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