

IN THE MATTER OF Section 101 of the *Courts of Justice Act*, R.S.O. 1990 c.C.43, as amended, and in the matter of Section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended

BUSINESS DEVELOPMENT BANK OF CANADA - and -  
Applicant

NAFA PROPERTIES INC.  
Respondent

Court File No.

31 Oct 19

Application is adj to  
Nov 8/19 subject to the terms in  
Schedule A attached.

*M. Williams*

8 Nov 19

Application adj to  
Nov 21/19.

*M. Williams*

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

Proceedings commenced at Toronto, Ontario

APPLICATION RECORD  
(returnable on October 31, 2019)

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Lawyers for the Applicant, Business Development Bank of  
Canada

Schedule A<sup>TM</sup>

This Order is granted without prejudice to the application for the appointment of a receiver (the "Receivership Application") brought by Business Development Bank of Canada ("BDC") bearing Ct. File No. CV-19-026-3095-00CL.

None of the Charges granted in the initial Order shall take priority over the security granted in favour of BDC in respect of the Ground Leases (as defined in the affidavit of Matthew Golding filed as part of the Receivership Application).

The Applicants are required to make payments in respect of the Ground Leases in the ordinary course.

The Applicants and the Monitor shall cooperate with BDC and the proposed receiver in respect of access to information.

AM