

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) THURSDAY, THE
JUSTICE OSBORNE) 26TH DAY OF JANUARY, 2023

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*, as amended**

ORDER

THIS MOTION, made by Deloitte Restructuring Inc. in its capacity as the Court-appointed receiver (the “**Receiver**”) of the undertaking, property and assets of Rose of Sharon (Ontario) Retirement Community was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Thirteenth Report of the Receiver dated 23 January 2023 (the “**Thirteenth Report**”) and the Supplement to the Thirteenth Report also dated 23 January 2023 (the “**Supp Thirteenth Report**”) and on hearing the submissions of counsel for the Receiver, no one appearing for any other person on the service list:

1. **THIS COURT ORDERS AND DECLARES** that the Thirteenth Report and the Supp Thirteenth Report be and are hereby approved, including the actions and activities of the Receiver as described therein.

2. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements for the period September 28, 2011 to December 31, 2022 as set out in Appendix "F" to the Thirteenth Report, be and is hereby accepted and approved.

3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver for the period January 1, 2017 to December 31, 2022 as further described in the Affidavit of Hartley Bricks sworn 18 January 2023, the fees and disbursements of Blaney McMurtry LLP for the period January 1, 2017 to September 30, 2022 as further described in the Affidavit of Chad Kopach sworn 19 January 2023 the fees and disbursements of Gowling WLG (Canada) LLP for the period December 1, 2013 to December 31, 2022 as further described in the Affidavit of Clifton Prophet sworn 23 January 2023, be and are hereby approved.

4. **THIS COURT ORDERS** that the claims by the Receiver against York Health Care Developments Inc. in Court File No CV-12-463472 be and are hereby dismissed without costs.

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

PEOPLES TRUST COMPANY

-and-

**ROSE OF SHARON (ONTARIO) RETIREMENT
COMMUNITY**

Applicant

Respondent

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

PROCEEDING COMMENCED AT
TORONTO

ORDER

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