

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

THE HONOURABLE
JUSTICE *DUNPHY*

) FRIDAY THE 1ST DAY
) OF JUNE, 2018

B E T W E N:

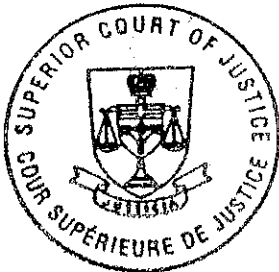
SAVINGS MANAGEMENT SERVICES PARKING LTD.

Applicant

and

DUR-A-BUS COACH BUILDERS 2016 INC.

Respondent



ORDER

THIS MOTION made by Pollard & Associates Inc., in its capacity as the Court-appointed Receiver (the "Receiver") of the Respondent, Dur-A-Bus Coach Builders 2016 Inc., and not in its personal capacity for inter alia, an order accepting and approving the actions and activities of the Receiver as set out in the Third Report of the Receiver dated May 22, 2018, was heard this day at the Ontario Superior Court of Justice, 330 University Avenue, Toronto, Ontario.

ON READING the Third Report of the Receiver and on hearing submissions of counsel for the Receiver, no one else appearing, despite having been duly served with notice of this motion;

1. **THIS COURT ORDERS** that the actions and activities of the Receiver since April 4, 2018 as set out in the Third Report of the Receiver dated May 22, 2018, are hereby accepted and approved.

2. **THIS COURT ORDERS** that the distribution of funds held by the Receiver to Savings Management Services Parking Ltd. in the amount of \$127,201.00 as well as any additional amounts received by the Receiver, until the total amount owing to Savings Management Services Parking Ltd. has been repaid, is hereby approved.

3. **THIS COURT ORDERS** that the fees and expenses of counsel for the Receiver as at April 24, 2018 in the amount of \$30,233.07, plus HST in the amount of \$3,857.50 for a total of \$34,090.57 is hereby approved.

4. **THIS COURT ORDERS** that the fees of the Receiver as at April 30, 2018 in the amount of \$60,888.00 plus HST in the amount of \$7,915.44 for a total of \$68,803.44 is hereby approved.

5. **THIS COURT ORDERS** that the estimated accrual of the fees and expenses of counsel for the Receiver in the amount of \$6,000.00, plus HST is hereby approved.

6. **THIS COURT ORDERS** that the estimated accrual of the fees and expenses of the Receiver in the amount of \$6,000.00, plus HST is hereby approved.

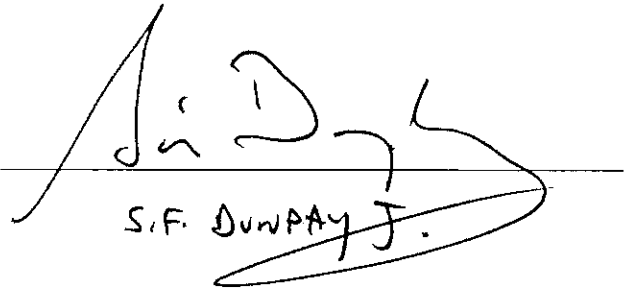
7. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements as at May 22, 2018 is hereby approved.

8. **THIS COURT ORDERS** that the Receiver's Proforma Final Statement of Receipts and Disbursements as at May 22, 2018 is hereby approved.

9. **THIS COURT ORDERS** that upon payment of the amounts as set out in paragraphs 3, 4, 5, 6, and 7 hereof and upon the Receiver filing a certificate certifying that it has completed the other activities described in the Report, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental

duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of Pollard in its capacity as Receiver.

10. **THIS COURT ORDERS AND DECLARES** that Pollard is hereby released and discharged from any and all liability that Pollard now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of Pollard while acting in its capacity as Receiver herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, Pollard is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.


S.F. DUNPHY J.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

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PER / PAR:

SAVINGS MANAGEMENT SERVICES
PARKING LTD.

DUR-A-BUS COACH BUILDERS 2016 INC.
and

Court File No. CV-17-588366-00 CL
Estate No. 31-458405

Plaintiffs

Defendants

ONTARIO

SUPERIOR COURT OF JUSTICE
Proceeding commenced at TORONTO

ORDER

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in its capacity as Court-appointed Receiver
of 2530453 Ontario Inc., formerly Dur-A-
Bus Coach Builders 2016 Inc. and not in its
personal capacity