

Court File No. CV-18-610100 CL  
Court File No. CV-18-601094 CL  
Estate File No. 31-458586

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**COMMERCIAL COURT**

THE HONOURABLE ) THURSDAY THE 28<sup>TH</sup>  
JUSTICE *DIETRICH* ) DAY OF FEBRUARY, 2019

B E T W E E N:

EQUITY CREDIT UNION INC.

Plaintiff

and

VIDA MAY LINDO

Defendant



**ORDER**

**THIS MOTION** made by the Plaintiff, Equity Credit Union Inc., for inter alia, an order accepting and approving the actions and activities of the Receiver as set out in the First and Final Report of the Receiver dated February 11, 2019, was heard this day at the Ontario Superior Court of Justice, 330 University Avenue, Toronto, Ontario.

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

1. **THIS COURT ORDERS** that service of the Motion Record, including the Notice of Motion and the First and Final Report, is hereby validated and the time for service abridged as necessary such that the motion is properly returnable today and further service of the Motion Record is not required.

2. **THIS COURT ORDERS** that the actions and activities of the Receiver as set out in the First and Final Report of the Receiver dated February 11, 2019, are hereby accepted and approved.

3. **THIS COURT ORDERS** that the fees and expenses of the Receiver in the amount of \$14,937.47, inclusive of HST is hereby approved.

4. **THIS COURT ORDERS** that the Receiver's Final Statement of Receipts and Disbursements as at February 11, 2019 is hereby approved.

5. **THIS COURT ORDERS** that upon payment of the amounts as set out in paragraph 3 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.

6. **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.

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



FEB 28 2019

PER / PAR: 

EQUITY CREDIT UNION INC.

VIDA MAY LINDO

**Court File No.** CV-18-610100 CL  
CV-18-601094 CL  
Estate File 31-458856

and

Plaintiffs

Defendants

*ONTARIO*  
**SUPERIOR COURT OF JUSTICE**  
**COMMERCIAL LIST**  
Proceeding commenced at TORONTO

**ORDER**

**DEVRY SMITH FRANK LLP**  
Lawyers & Mediators  
209 Dundas Street East  
Suite 401  
Whitby, ON L1N 7H8

**KELLI PRESTON**  
LSUC #47467B

Tel : (416) 44603344  
Fax: (416) 449-7071  
*kelli.preston@devrylaw.ca*

Lawyers for the Plaintiff