



**SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**COUNSEL SLIP / ENDORSEMENT**

COURT FILE NO.: CV-25-00752424-00CL DATE: March 4, 2026

REGISTRAR: Farzana C

NO. ON LIST: 03

TITLE OF PROCEEDING: COSMAN MORTGAGE HOLDING CORP. v.  
1000066871 ONTARIO INC.

BEFORE: JUSTICE FL MYERS

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant / Moving Party:**

Name of Person Appearing	Name of Party	Contact Info
Oren Chaimovitch	Cosman Mortgage	oren.chaimovitch@devrylaw.ca

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Granville Cadogan	1000066871 ONTARIO INC.	gcadogan@gncclaw.ca

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Chris Reed	Counsel for the Receiver	creed@laihleyreed.com
Angela K. Pollard	The Receiver	akpollard@pollardandassoc.ca

**ENDORSEMENT OF JUSTICE FL MYERS:**

1. On February 4, 2026, counsel attended before J. Dietrich J. to schedule an urgent motion proposed by the Respondent debtor. The motion aimed to prohibit the Receiver from selling the property under her control so as to allow the Respondent to redeem its security.
2. J. Dietrich J. scheduled the motion for two hours returnable today. She set a timetable that required the Respondent to deliver its motion record on February 5, 2026.
3. The Respondent did not deliver a motion record then or at all.
4. On March 3, 2026 the Commercial List Office wrote to the parties looking for motion material. No answer was received. The court followed up this morning.
5. Mr. Cadogan advised his colleagues, but not the court, that the scheduled motion will be withdrawn.
6. Mr. Cadogan attended today to advise that his client will not be proceeding with the scheduled motion.
7. Mr. Cadogan offered no reason for his failure to alert his colleagues and the court that the motion was not proceeding until just before or during court. This was discourteous and a violation of the *Commercial List Practice Direction* (being Part G of the *Consolidated Practice Direction for the Toronto Region*. Sections 40 - 42 of the *Practice Direction* require, in part:

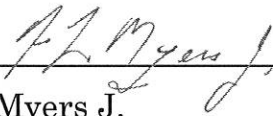
40. If an adjournment of a previously scheduled matter is to be sought or appears likely to be required, the Commercial List Trial Office must be alerted as soon as possible to accommodate rescheduling of another matter or alerting counsel on standby matters.

41. If a matter is adjourned to permit the continuation of realistic settlement discussions and the matter is not settled within a reasonable time, the parties shall arrange to attend on a case conference to set a timetable for remaining steps to ready the matter for a final adjudication on the merits.

42. Counsel on Commercial List matters are expected to canvass the matter of settlement conscientiously and continuously, and to advise promptly of all concluded settlements or matters which are reasonably likely to settle, so that other matters may be rescheduled...

8. A two-hour appointment that had been granted on a supposedly urgent basis was wasted. The Respondent did not deliver its motion record February 5, 2026 as directed. It seems to have had a full month to tell the other parties and the court that it was not proceeding.
9. No one sought costs today – presumably because they did not prepare responding materials for the motion in the absence of receiving a motion record. This would likely have been a case for enhanced costs had any been incurred.
10. On a separate matter, counsel or the Receiver advises that Mr. Imran Ahmed, the principal of the debtor 1000066871 Ontario Inc., has not yet produced financial and other information sought by the Receiver.
11. Ms. Pollard advises that as long ago as November, Mr. Ahmed committed to provide her with the information she seeks once the receivership order was made.
12. The receivership order was made December 10, 2025. **Paras. 4 through 6 of the court's order require Mr. Ahmed to provide the Receiver with access to the records of the debtor.**
13. Mr. Cadogan advises that Mr. Ahmed has received the Receiver's request for information and is trying to comply.
14. Mr. Ahmed should understand that the requirement to provide information is contained in a court order. The court will enforce its orders. Mr. Reed, for the Receiver, referred to the possibility that the Receiver would have to ask the court to hold Mr. Ahmed in contempt of court if he does not comply soon.
15. A proceeding to hold someone in contempt of court for violating a court order is a last resort. It is a very serious quasi-criminal charge.
16. Before the court will hear a contempt of court proceeding, efforts should be made to enforce compliance with the court's order by less drastic means.

17. I am not making an order today. The receivership order already exists. No subsequent order should be necessary to ensure that people comply with an existing court order.
18. If there remains a need to consider this issue further, the Receiver may schedule a case conference before me on short notice to Mr. Ahmed through the Commercial List Office.
19. The parties are on notice that at any such case conference I will consider whether to make an order dealing with disclosure and production of documents if appropriate under Rule 50.13 (6) of the *Rules of Civil Procedure*, RRO 1990, Reg. 94. All parties should be prepared to discuss any orders they seek to assist with document disclosure and any process issues they may wish to raise concerning any orders that may be sought.
20. The parties' *Aide Memoires* should include expressly the terms of any orders to be sought at the case conference. The page limit set out in s. 65 of the *Commercial List Practice Direction* will be enforced.
21. The case conference will not consider any possible contempt of court on its merits. But it could include scheduling a contempt motion if apt.
22. There should be no need for a case conference dealing with disclosure of documents. Mr. Ahmed should take advice as to understand his obligations and then comply forthwith.

  
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FL Myers J.

Justice FL Myers

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