

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

IN THE MATTER OF AN APPLICATION
pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c.B-3, as
am, section 101 of the *Courts of Justice Act*, R.S.O.1990, c.C.43 and the *Personal
Property Security Act*, R.S.O. c.P.10

THE HONOURABLE
MR. JUSTICE HAINEY

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FRIDAY, THE 21ST
DAY OF APRIL, 2017



BETWEEN:

DAVINCI CAPITAL PARTNERS INC., in its capacity as
trustee of DAVINCI CAPITAL PRIVATE DEBT FUND

Applicant

and

THE CUSTOM FACTORY CANADA INC.
and ANTONIO PETOSA

Respondents

ORDER
(Amendment of Appointment Order)

THIS MOTION, made by the receiver for an Order Amending the Order of Mr. Justice Hainey, dated March 22, 2017 (the "Appointment Order"), was heard this day at the court house, 330 University Avenue, 7th Floor, Toronto, Ontario, M5G 1R7.

ON READING the Motion Record of the Court-Appointed Receiver, including the affidavit of Robert Link sworn on April 19, 2017 and on hearing the submissions of the lawyer(s) for the parties,

I. THIS COURT ORDERS that the Appointment Order shall be amended as follows:

- (a) The following words from paragraph 4 of the Appointment Order shall be deleted:
“for a period of thirty days or pending the appointment of a receiver or trustee in bankruptcy, or further order of this Court.”
- (b) Paragraph 32 of the Appointment Order shall be deleted and replaced with the following: “THIS COURT ORDERS that, on notice to the service list, the Receiver shall return to this Court to report periodically on the Receiver’s activities.”



RCP-E 59A (July 1, 2007)

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

APR 21 2017

PER / PAR: 

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DAVINCI CAPITAL PARTNERS INC., in its capacity as trustee of
DAVINCI CAPITAL PRIVATE DEBT FUND
Applicant

-and-

THE CUSTOM FACTORY CANADA INC. et al.

Respondents

Court File No. CV-17-11742-00CL

ONTARIO
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COMMERCIAL LIST

PROCEEDING COMMENCED AT
TORONTO

ORDER
(Amendment of Appointment Order)

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