



Court File No. 07-CL-6913

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

THE HONOURABLE MADAM
JUSTICE PEPALL

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)

WEDNESDAY, THE 11TH DAY
OF MARCH, 2009

ED MIRVISH ENTERPRISES LIMITED AND 1 KING WEST INC.

Applicants

- and -

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION
AND HARRY STINSON**

Respondents

ORDER

THIS MOTION, made by Ira Smith Trustee & Receiver Inc. (the “**ISI**”), in its capacity as court-appointed receiver and manager (the “**Receiver**”) of all of the assets, undertakings and properties of Stinson Hospitality Inc. (“**SHI**”), Dominion Club of Canada Corporation (“**DCC**”), The Suites at 1 King West Inc. (the “**Suites**”) and 2076564 Ontario Inc. (“**Housekeeping**”) (collectively, the “**Debtors**”), for an Order substantially in the form attached as Schedule A to the Receiver’s Notice of Motion at Tab 1 of the Receiver’s Motion Record (the “**Receiver’s Motion Record**”) herein was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Tenth Report of the Receiver dated March 3, 2008, filed, and upon hearing the submissions of counsel for the Receiver, counsel for the Applicants, counsel for Segura Investments, counsel for J. Robert Verdun, and no one appearing for the other parties

✓ Harry Stinson ✓

smo

served with the Receiver's Motion Record, although duly served as appears from the affidavit of service of Lauren Butti sworn March 3, 2009:

SERVICE

✓ 1. ~~THIS COURT ORDERS~~ that the time for service of the Motion Record be and it is hereby abridged, that the Motion is properly returnable today, that the service, including the manner of service, of the Motion Record is hereby approved and that any requirement for service of the Motion Record upon any party, other than those served, is hereby dispensed with. ✓

sup

TENTH REPORT

2. **THIS COURT ORDERS** that the Tenth Report and the actions and activities of the Receiver as reported therein be and are hereby approved.
3. **THIS COURT ORDERS** that the Receiver's fees and disbursements from December 2, 2008 to February 27, 2009, and the fees and disbursements of its legal counsel, Goodmans LLP, from December 2, 2008 to February 28, 2009, all as detailed in the Tenth Report, be and are hereby approved.

INTERIM DISTRIBUTION

4. **THIS COURT ORDERS** that the Receiver distribute \$6,000,000.00 from the proceeds of realization of the assets of the Debtors that are in its possession the following amounts:
 - a. to Ed Mirvish Enterprises Limited the amount of \$5,863,221.88 on account of its secured claim; and

- b. to Segura Investments Ltd. the amount of \$136,778.12 on account of its secured claim.
5. **THE COURT ORDERS** that the distributions made pursuant to paragraph 4 above shall be partial payments to the recipients on account of their secured claims against the proceeds realized from the assets of the Debtors.



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

MAR 11 2009

PER / PAR:  Joanne Nicoara
Registrar, Superior Court of Justice

ED MIRVISH ENTERPRISES LIMITED and STINSON HOSPITALITY INC.,
AND 1 KING WEST INC. and DOMINION CLUB OF CANADA
CORPORATION AND HARRY STINSON

Applicants

Respondents

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

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Counsel to Ira Smith Trustee & Receiver Inc., in its capacity as receiver and manager and former monitor of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. and 2076564 Ontario Inc.