

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

**IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C., C. B-3, AS AMENDED, AND SECTION 101
OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990 C. C.43, AS AMENDED**

THE HONOURABLE)	MONDAY, THE 8TH
)	
JUSTICE T. McEWEN)	DAY OF NOVEMBER, 2021

B E T W E E N:

C&K MORTGAGE SERVICES INC. and 975393 ONTARIO INC.

Applicants

and

AXESS PICKERING LTD.

Respondent

**ORDER
(Re Sale Process)**

THIS MOTION, made by Alvarez & Marsal Canada Inc. in its capacity as Court-appointed Receiver (the “**Receiver**”) of the assets, undertakings and properties of Axess Pickering Ltd. (the “**Debtor**”), for an order,

- (a) If necessary, abridging the time for and validating service of this notice of motion and motion record, including the First Report of the Receiver to the Court (the

“**First Report**”), and directing that any further service of this notice of motion is properly returnable on November 8, 2021;

- (b) Approving the marketing and sales process for the assets of the Debtor as described in Section 7 of the First Report, subject to such amendments to the sale process as deemed necessary or appropriate by the Receiver (the “**Sales Process**”);
- (c) Approving the First Report and the conduct and activities of the Receiver reported therein; and
- (d) Such further and other relief as counsel may advise and this Honourable Court may deem just.

was heard this day by judicial videoconference due to the COVID-19 pandemic.

ON READING the First Report and on hearing the submissions of counsel for the Receiver, and such other persons on the Service List as may be present:

1. THIS COURT ORDERS that the time for and method of service of the notice of motion and the motion record, including the First Report, are hereby abridged and validated, as necessary, such that this motion is properly returnable today and hereby dispenses with further service thereof.
2. THIS COURT ORDERS that the Sale Process for marketing and selling the assets of the Debtor as described in Section 7 of the First Report, subject to such amendments to the sale process as deemed necessary or appropriate by the Receiver (the “**Sales Process**”) is hereby approved and that the terms and conditions for the submission of bids pursuant to the Sale Process as described in the First Report are hereby approved and the Receiver is hereby authorized to take such steps

as it considers necessary to carry out the Sale Process, subject to prior approval of this Court being obtained before completion of any transactions resulting from the Sale Process.

3. THIS COURT ORDERS that the First Report and the activities described therein be and are hereby approved.

4. THIS COURT ORDERS that the Receiver shall have no personal or corporate liability in connection with conducting the Sales Process, excepting any liability resulting from gross negligence or wilful misconduct.

5. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Receiver and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Receiver, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.

6. THIS COURT ORDERS that this Order is effective from today's date and is not required to be entered.


