



SUPERIOR COURT OF JUSTICE

ENDORSEMENTCOURT FILE NO.: CV-23-00710413-00CLDATE: Feb 09, 2024NO. ON LIST: 2TITLE OF PROCEEDING: MBL ADMINISTRATIVE AGENT II LLC, v. TRADE X GROUP OF COMPANIES INC., et alBEFORE: JUSTICE CAVANAGH**PARTICIPANT INFORMATION****For Plaintiff, Applicant, Moving Party:**

Name of Person Appearing	Name of Party	Contact Info
Natalie Renner	Lawyer for Applicant, MBL Administrative Agent II LLC	nrenner@dwpv.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Alexis Beale	1309767 Ontario Limited, 2601658 Ontario Ltd. (the "Van Essen Companies")	abeale@rosemountlaw.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Mark Dunn	FTI Consulting Canada Inc., Receiver	mdunn@goodmans.ca
Brittini Tee		btee@goodmans.ca

ENDORSEMENT

[1] FTI Consulting Canada Inc. was appointed as the Receiver, without security, of the Property (as defined in the Receivership Order) of Techlantic Ltd. and a group of related companies (the "Debtors"). The Receivership

Order authorizes the Receiver to take possession of the Property, including Techlantic's assets, and **G16** and properties, together with any and all proceeds of those assets.

[2] The Receiver seeks to schedule a motion for a declaration that certain funds paid by Mr. Stephen Zhou 21309767 Ontario Ltd., 2601658 Ontario Ltd. and Mr. Wouter Van Essen are Property (as defined in the Receivership Order) of the Debtors and directing that 1309767 Ontario Ltd., 2601658 Ontario Ltd. (the Van Essen Companies") and Mr. Van Essen pay \$1,723,495 to the Receiver.

[3] The Receiver is clear that the purpose of this order is not to determine entitlement to this money, but to ensure that the money is preserved pending the outcome of a claims process.

[4] Counsel appeared at this scheduling conference for the Van Essen Companies. They oppose the scheduling of the Receiver's motion as premature. They submit that the Receiver has not shown any risk to the funds that would necessitate urgent or interim court intervention.

[5] The Van Essen Companies dispute that the funds (that were, apparently, applied to outstanding amounts said to be owed to the Van Essen Companies by the Debtor, Techlantic Ltd.) are Property of the Debtors. The Van Essen Companies intend to bring a cross-motion for an order that the funds belong to them.

[6] The Receiver has not shown that the Van Essen Companies are dissipating the funds to avoid payment to the Receiver if it is determined that the funds are Property of the Debtors. In the absence of such evidence, I have scheduled the Receiver's motion and the motion by the Van Essen Parties to be heard together. This will avoid the risk of inconsistent decisions that would arise if the two motions were heard separately.

[7] The motions are scheduled to be heard on April 3, 2024 at 10:00 a.m. for a full day.

[8] The responding motion materials and cross-motion materials of the Van Essen Companies (and Mr. Van Essen) are due on March 1, 2024. Responding and reply materials by the Receiver are due on March 6, 2024. Cross-examinations to be held on March 28, 2024. Factums to be delivered in advance of the hearing date according to a timetable to be agreed upon by counsel.

[9] Any party is at liberty to seek an interim order if appropriate.



Digitally signed by
Mr. Justice
Cavanagh

Justice Cavanagh

Date: February 9, 2024