



**ONTARIO
SUPERIOR COURT OF JUSTICE**

IN BANKRUPTCY AND INSOLVENCY

THE HONOURABLE MR
JUSTICE NEWBOULD

) MONDAY, THE 19th DAY
)
) OF DECEMBER, 2011

**IN THE MATTER OF THE BANKRUPTCY OF
787755 ONTARIO LIMITED O/A NDT FOOD SERVICE
AND O/A NEW DURHAM TRADING AND O/A SKYWAY WHOLESALE
of the City of Mississauga,
in the Province of Ontario**

**BANKRUPTCY ORDER
FORM 91**

On the application of Bank of Montreal ("**BMO**"), a creditor, filed on the 30th day of November, 2010;

Having heard submissions from counsel to BMO, no one else appearing although attempted to be duly served as evidenced by the affidavit Stella Kostopoulos, sworn November 30, 2010;

And it appearing to the court that the following act of bankruptcy has been committed:

787755 Ontario Limited o/a NDT Food Service and o/a New Durham Trading and o/a Skyway Wholesale (the "**Debtor**") has ceased to meet its liabilities generally as they become due, in that it has failed to pay its obligations to BMO;

1. **THE COURT HEREBY ORDERS** that the Debtor be adjudged bankrupt by virtue of a bankruptcy order hereby made on this date.
2. **THE COURT FURTHER ORDERS** that Ernst & Young Inc., of the City of Toronto, in the Province of Ontario, be appointed as trustee of the estate of the Debtor.
3. **THE COURT FURTHER ORDERS** that the trustee give security in cash or by bond without delay, in accordance with subsection 16(1) of the Act.
4. **THE COURT FURTHER ORDERS** that the costs of BMO be paid out of the estate of the Debtor on taxation of the estate.

A handwritten signature in dark ink, appearing to read "Mr. J. Newbould", is written over a horizontal line.

TO: 787755 Ontario Limited o/a NDT Food
Service and o/a New Durham Trading and
o/a Skyway Wholesale

District of Ontario
Division No. 09
Estate No. 31-OR-207788-T

TAKE NOTICE that 787755 Ontario Limited o/a
NDT Food Service and o/a New Durham Trading
and o/a Skyway Wholesale is required, pursuant to
section 159 of the *Bankruptcy and Insolvency Act*,
to attend at the office of
_____, the Official
Receiver, at _____
on _____, 2010, at _____
[a.m.][p.m.] o'clock in the _____ noon,
there to answer such questions with respect to the
conduct of the bankrupt corporation, the causes of
its bankruptcy and the disposition of its property as
may be put by the Official Receiver, and take notice
that if you fail to present yourself for examination,
the court may by warrant cause you to be
apprehended and brought up for examination and
may order you to be imprisoned for a term not
exceeding three years.

DATED at Toronto this ____ day of December,
2011.

Official Receiver

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SERVICE AND O/A NEW DURHAM TRADING
AND O/A SKYWAY WHOLESALE
of the City of Mississauga,
in the Province of Ontario**

BANKRUPTCY ORDER

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Lawyers for Bank of Montreal

Applicant

Respondents

Dec 19 / 11

Court File No. CV-10-8991-00CL

19 Dec 19 / 11

Order sought is appropriate.
 787 does not oppose. Order to be
 which I have signed.
 H. West

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 Proceedings commenced at Toronto

MOTION RECORD

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