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Elizabeth Murray
REGISTRAR

Court File No. S1-GS-27628

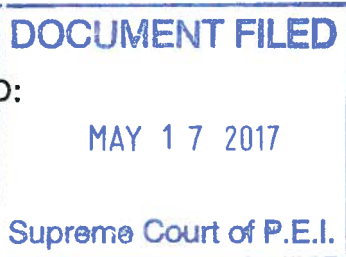
SUPREME COURT OF PRINCE EDWARD ISLAND

BETWEEN:

BANK OF NOVA SCOTIA

APPLICANT

AND:



SILVER HILL FUR FARM LTD.

RESPONDENT

BEFORE THE HONOURABLE
JUSTICE GORDON L. CAMPBELL

DATED the 17th day
of May, 2017.

RETURN OF PROPERTY ORDER

WHEREAS this Court granted the Initial Receivership Order (the "Initial Order") and a companion Cooperation Order (the "Cooperation Order") on March 29, 2017 in relation to the Respondent wherein Ernst & Young Inc. was appointed receiver and receiver manager (the "Receiver") of all the Respondent's assets, undertakings and properties (collectively, the "Property");

AND UPON reading the Receiver's report dated May 12, 2017 (the "First Report") and the Receiver's Supplement to the First Report dated May 16, 2017;

AND UPON hearing the submissions of counsel for the Applicant;

AND UPON being satisfied that Casey Gavin, Leigh Gavin, Rose Gavin, Joyce-Ann Gavin, and Gavco Fishing Enterprises Ltd. (collectively, the "Related Parties") were each involved in the operations of the Respondent including, but not limited to, certain purported transactions affecting the Respondent's Property;

AND UPON being satisfied that the granting of this Order to return the Property and prohibit the transferring of further Property will assist in the orderly administration of the Receivership proceedings;

THIS COURT ORDERS THE FOLLOWING:

Service

1. The time for service of the Notice of Motion and Motion Record is hereby abridged as required so that this Motion is properly returnable today.

Return of Property

2. The Related Parties are ordered to forthwith return any and all Property to the Receiver including but not limited to the assets as described in the First Report and set out in the attached Schedule "A" (the "First Report Property"), or in the alternative to delivering up the First Report Property, the Related Parties are ordered to pay the cash equivalent of \$2,454,474.62 to the Receiver.

Prohibition on Disposition

3. The Related Parties are each prohibited, whether acting alone or in conjunction with any, as applicable, servants, employees, agents, successors or assigns or anyone acting on a Related Parties' behalf, and anyone receiving notice of this order are hereby enjoined and restrained from spoliating, selling, transferring, encumbering, disposing of or removing from Prince Edward Island, or elsewhere, any Property of the Respondent and all records with respect to those assets and from disbursing or dealing with funds in any chequing account or on deposit in any investment or other account(s) until further order of this Court.

General

4. The Related Parties shall be served with a copy of this Order within three (3) days of the date hereof.

5. The Initial Order, the Cooperation Order and any other Orders of the Court granted in this proceeding remain in full force and effect.

6. Any Person affected by this Order which did not receive notice in advance of the hearing of the initial motion may apply to this Court to vary or amend this Order within five (5) days of such Person being served with a copy of this Order.

(SGD.) Gordon L. Campbell
J.

J.

Schedule "A" to "Return of Property Order"

The First Report Property, namely:

- a. Cash withdrawn from the Tignish Accounts (\$36,386.62);
- b. Equity associated with identified transactions at under value (\$88,438.00);
- c. Missing equipment identified in the following page and in Appendix F of the First Report (\$265,600.00);
- d. The equipment identified in the following page and within Appendix F of the First Report that C. Gavin disputes is property of the Company;
- e. Pelts associated with the Breeder Mink (\$955,000.00);
- f. The return of the Live Inventory (\$45,000.00); and
- g. Pelts associated with the Fall Harvest (\$1,064,050.00),

Silver Hill Farm Ltd. ("SHFF")
Equipment Listing
Unaudited

Item #	MAKE	MODEL	YEAR	SERIAL NUMBER	Net Book Value	SHFF Equipment - No Ownership Dispute - Assets Removed from Site	SHFF Equipment - Assets Remain on Site - Subject to Non-Registration by SHFF Equipment - Equipment Lessors	SHFF Equipment - Subject to Non-Registration by SHFF Equipment - Assets Not Found
1	FEED CART	TWINCA ROYAL 1500	2011	N104711540		Yes		
2	FEED CART	ROYAL 2000 KUBOTA	2012	602126		Yes		
3	SPREADER	KUHNN-KNIGHT PR150	2010	10971		Yes		
4	TEDDER	NH J BASKET 183	2010	10971		Yes		
5	FLOW	KON 5500	2013	817249		Yes		
6	RANK	NH 218	2012	852685		Yes		
7	DISC BINE	NH 1412	2012	870774		Yes		
8	TRACTOR	JD 6400	1996	XL084003148212X		Yes		
9	FEED CART	TWINCA 1400	2012	N78142008		Yes		
10	GRAPPLE	MARCREST B942	2014	140773		Yes		
11	SNOW BLOWER	NORMAND	2011	205-42349		Yes		
12	SNOW BLOWER	NOR N104-342TR	2013	22NS5381		Yes		
13	SPRING HARROWS	KON 2815	2013	700189		Yes		
14	14 - Tractor - feed cart (Hullburton)					Yes		
15	FORKLIFT	TOYOTA 7FGU25	2008	78887		Yes		
16	BALER	BC570	2010	YAN103659		Yes		
17	BALER	424P MARCREST BARON	2013	13410		Yes		
18	12 - Horse trailer					Yes		
19	2014 Dodge Ram Longhorn 4x4 2500 4 Door Crew Cab		2014	Vin#5C6UR5G17G228294		Yes		
20	2014 Dodge Ram Longhorn 4x4 1500 4 Door Crew Cab		2014	Vin#1C6RR7P4XES36078		Yes		
21	TRACTOR 4WD	NH 18000	2010	Z480 C0818		Yes		
22	DISC HARROWS	JD 6872N	2008	N0657202120		Yes		
23	TRACTOR 2WD	NH 18000	2012	ZC8011146		Yes		
24	FORKLIFT (SIDE SHIFTER) ROTATOR	TOYOTA 8FDU25	2012	31461		Yes		
25	FORKLIFT	TOYOTA 8FDU25	2012	69009		Yes		
26	BALER	NH BC570	2013	YCN117793		Yes		
27	ROLLER HARROW	UNVERFERTH 220	2008	815928		Yes		
28	FORKLIFT	TOYOTA 8FDU25	2012	31112		Yes		
29	TRACTOR	NH 17770 AC 43 PT HITCH	2007	Z80722245	130,130	Yes		
30	18000 4x4 Shredder Machinery				44,249	Yes		
31	18000 4x4 Shredder Machinery				42,615	Yes		
32	14 - Tractor - feed cart (Hullburton)				12,492	Yes		
33	13 - Harrow				11,874	Yes		
34	MINI LOADER	NORCAR	2014	A50003	7,808	Yes		
35	12 - Contractor w/ Rock Sides				7,569	Yes		
36	12 - Baller handler					Yes		
37	13 - 4WD Bays W/ 1800 LG Tractor					Yes		
38	SKID STEER	NH1125 0704A	2010	N8M463785	3,500	Yes		
39	MINI LOADER	NORCAR 811760	2010	A602005		Yes		
40	TRACTOR	NH1N80	2010	HJ6080023		Yes		
41	FEED CART	ROYAL 2000 KUBOTA	2013	602126		Yes		
					Total	285,600		

Note - The equipment listing has been compiled based on review of SHFF books and records and SHFF accounting records provided by Grant Thornton.

BANK OF NOVA SCOTIA v. SILVER HILL FUR FARM LTD.

SUPREME COURT OF PRINCE EDWARD ISLAND

**PROCEEDINGS COMMENCED AT
CHARLOTTETOWN**

ORDER

**COX & PALMER
Dominion Building
97 Queen St., Suite 600
Charlottetown, PE C1A 4A9**

Per: Pamela J. Williams and Josh McElman