

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE
JUSTICE PATTILLO

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Friday, THE 29th DAY
OF OCTOBER, 2021

BETWEEN:

ERNST & YOUNG INC., in its capacity as Court-Appointed Monitor
of Bondfield Construction Company Limited

Applicant

- and -



JOHN AQUINO, MARCO CARUSO, GIUSEPPE ANASTASIO a.k.a. JOE ANA,
LUCIA COCCIA a.k.a. LUCIA CANDERLE, THE ESTATE OF MICHAEL SOLANO,
GIOVANNI ANTHONY SIRACUSA a.k.a. JOHN SIRACUSA,
2483251 ONTARIO CORP. a.k.a. CLEARWAY HAULAGE,
2420595 ONTARIO LTD. a.k.a. STRADA HAULAGE, 2304288 ONTARIO INC.,
2466601 ONTARIO INC. a.k.a. MMC CONTRACTING,
2420570 ONTARIO LTD. a.k.a. MTEC CONSTRUCTION,
TIME PASSION, INC. and RCO GENERAL CONTRACTING LTD.

Respondents

ORDER

THIS MOTION, made by Ernst & Young Inc., in its capacity as Court-Appointed Monitor of Bondfield Construction Company Limited (the "**Monitor**") was heard this day at 330 University Avenue, Toronto, Ontario.

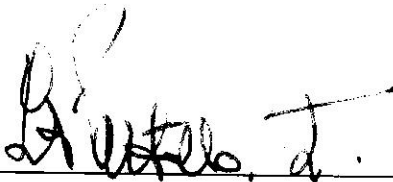
ON READING the Consent of the Monitor and of Cinzia Aquino:

- 1 **THIS COURT ORDERS** that the net proceeds of sale of the property located at 9 Chieftain Crescent after payment of the amounts owing under the mortgage of HSBC Bank Canada registered against the property as Instrument Number: AT4041358, any

agent's commissions owing by Cinzia Aquino in connection with the sale of the Chieftain Property and any other usual course obligations payable on closing (the "**Net Proceeds**") currently held by Minden Gross LLP pursuant to an Order of this Court dated August 12, 2021 shall be distributed by Minden Gross LLP as follows:

(a) one half of such Net Proceeds (being the amount of \$1,981,103.25) shall be distributed to Cinzia Aquino; and

(b) one half of such Net Proceeds (being the amount of \$1,981,103.24) shall be distributed to Norton Rose Fulbright Canada LLP, in trust, to be held by Norton Rose Fulbright Canada LLP subject to the *Mareva* injunction ordered by the Honourable Mr. Justice Hainey on February 25, 2020, and subject to the Protocol Regarding Transactions of Interest approved by order of the Honourable Mr. Justice Hainey on September 18, 2019 in the proceedings under Court File No. CV-19-615560-00CL and CV-18-608978-00CL.



ERNST & YOUNG INC., in its capacity as
Court-Appointed Monitor of Bondfield
Construction Company Limited
Applicant

and JOHN AQUINO *et al.*
Respondents

Court File No: CV-19-630908-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceeding commenced at Toronto

ORDER

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