

Order (Fees) - Aug 21, 2007

Court File No. 05-CL-5881

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MADAM

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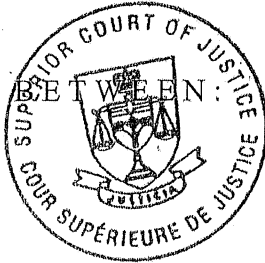
TUESDAY, THE 21st

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JUSTICE PEPALL

)

DAY OF AUGUST, 2007



MORRIS WAXMAN

Applicant

- and -

CHESTER WAXMAN, BAILEY WAXMAN, AARON WAXMAN, WAXMAN
INDUSTRIAL SERVICES CORP., WARREN WAXMAN and
I. WAXMAN & SONS LIMITED

Respondents

APPLICATION under sections 207 and 248 of the *Business
Corporations Act* (Ontario)

ORDER

THIS MOTION, made by made by Deloitte & Touche Inc. in its capacity as court-appointed receiver (the "Receiver") of the assets, properties and undertakings (collectively, the "Property") of I. Waxman & Sons Limited ("IWS") for an order substantially in the form included at Tab 4 of the Receiver's Motion Record dated August 9, 2007 was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Third Report of the Receiver dated August 9, 2007 (the "Third Report"), the Supplement to the Third Report dated August 20, 2007 (the "Supplement"), the affidavit of Mario Forte sworn August 7, 2007 (the "Forte Affidavit") and the affidavit of Karen Cramm sworn August 8, 2007 (the "Cramm Affidavit") and on hearing the submissions of counsel for the Receiver, Morris Waxman, Morrison Investments Limited ("Morrison"), Chester Waxman, Chesterton Investments Limited ("Chesterton") and on consent of all the aforesaid except Chester Waxman who is unopposed no one appearing for any other person on the service list, although properly served as appears from the affidavit of Sandra Vanderbrug sworn August 10, 2007 filed and the affidavit of service of Monique Massabki sworn August 21, 2007, filed:

1. **THIS COURT ORDERS** that the motion is properly returnable today and further that the requirement for service of the notice of motion and motion record herein upon interested parties, other than those served, is hereby dispensed with and that the service of the notice of motion, the Third Report, the Supplement, the Forte Affidavit and the Cramm Affidavit (collectively, the "Materials") and motion record is hereby validated in all respects.

2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and Ogilvy Renault LLP, each as described in the Materials be and are hereby approved.



May Nikolaidis
Registrar, Superior Court of Justice

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

AUG 21 2007

PER/PAR:



MORRIS WAXMAN
Applicant

and
CHESTER WAXMAN, et al.
Respondents

Court File No: 05-CL-5881

**ONTARIO
SUPERIOR COURT OF JUSTICE-
COMMERCIAL LIST**

Proceeding commenced at Toronto

ORDER

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Solicitors for Deloitte & Touche Inc., in its
capacity as receiver of the assets, properties and
undertaking of I. Waxman & Sons Limited, and
not in its personal capacity