

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

THE HONOURABLE)
JUSTICE CONWAY)

TUESDAY, the 14th DAY
OF APRIL, 2015

BETWEEN:

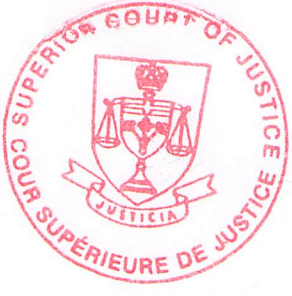
ICICI BANK CANADA

Applicant

and

BAYSIDE MALL LIMITED

Respondent



ORDER
(Sixth Report of the Receiver – Whiteley Fee Approval)

THIS MOTION, made by A. John Page & Associates Inc., in its capacity as the Court-appointed Receiver (the "Receiver") of certain of the undertaking, property, and assets of BAYSIDE MALL LIMITED (the "Debtor") for an order approving the Sixth Report of the Receiver dated January 21, 2015 (the "Sixth Report") and approving the conduct and activities of the Receiver as described in that report, approving the Halsall Contract and the SMID Contract, approving the Receiver's Statement of Receipts and Disbursements, sealing Confidential Exhibit E to the Sixth Report, and approving the fees and expenses of the Receiver and its counsel to

December 31, 2014, was heard on January 29, 2015, with the issue of the approval of the Receiver's fees and the fees of Mr. Whiteley being adjourned to March 3, 2015, and the issue of the approval of Mr. Whiteley's fees being further adjourned to be heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Sixth Report and on hearing the submissions of counsel for the Receiver, the Applicant, and other counsel appearing on the motion, no one appearing for any other person on the service list although properly served as appears from the affidavit of Jeffrey Rosekat sworn January 22, 2015, filed:

1. **THIS COURT ORDERS** that the fees of Heath Whiteley for the period ending December 31, 2014 as set forth in the affidavit of Heath Whiteley sworn January 29, 2015, and the exhibits attached thereto are hereby approved and allowed.

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

APR 16 2015

A handwritten signature in blue ink, appearing to read "Conway J.", is written over a horizontal line.

ICICI BANK CANADA
Applicant

-and- BAYSIDE MALL LIMITED
Respondent

Court File No. CV-12-9911-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

PROCEEDING COMMENCED AT
TORONTO

**ORDER
(SIXTH REPORT OF THE RECEIVER –
WHITELEY FEE APPROVAL)**

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