

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE) MONDAY, THE 12TH DAY
)
JUSTICE GILMORE) OF JULY, 2021

B E T W E E N:

AMERICAN GENERAL LIFE INSURANCE COMPANY and
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.

Applicants

- and -

VICTORIA AVENUE NORTH HOLDINGS INC.
and THE PARTIES LISTED ON SCHEDULE "A"

Respondents

APPLICATION UNDER section 243 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, as amended, and under section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43

**ORDER
(Substituting Service)**

THIS EX PARTE APPLICATION made by American General Life Insurance Company and National Union Fire Insurance Company of Pittsburgh, PA. (collectively, the "**Applicants**") for an order granting substituted service of the Notice of Application, Application Record and such further materials as may be filed by the Applicants in connection with the Application (the "**Application Materials**"), was heard this day by judicial videoconference via Zoom in Toronto, Ontario.

ON READING the Affidavit of Service of Nancy Thompson, sworn July 9, 2021 (the "**Thompson Affidavit**") and the Affidavit of Jacob Baron, sworn July 9, 2021 (the "**Baron Affidavit**") and on hearing the submissions of counsel for the Applicants:

1. **THIS COURT ORDERS AND DECLARES** that the hearing of the relief sought in paragraph 1(b) of the Notice of Application on an ex parte basis is appropriate in the circumstances and is hereby approved.

2. **THIS COURT ORDERS AND DECLARES** that service of the Service Letter (as defined in the Baron Affidavit and substantially in the form of Exhibit "S" thereto):

(i) providing notice of the receivership application, and

(ii) setting out links to the Zoom hearing and a website containing the Application Materials,

in the manner described in paragraph 15 of the Thompson Affidavit shall be good and sufficient service of the Application Materials on the Original Beneficial Owners and the Other Potential Parties of Interest (as those terms are defined in the Thompson Affidavit); and further, those parties with US mailing addresses listed on Exhibit "A" to the Thompson Affidavit (the "**US Address Parties**") shall be sent a copy of the Service Letter by both email and regular mail.

3. **THIS COURT ORDERS** that service of the Application Materials in accordance with this Order by email shall be effective on the next business day following sending of such.

4. **THIS COURT ORDERS** that service of the Application Materials in accordance with this Order by mail, including service of the Application Materials upon the US Address Parties, shall be effective as of the fifth business day after mailing.

5. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order.



A handwritten signature in blue ink, appearing to read 'C. Thompson, J.', is written above a horizontal line.

SCHEDULE "A"

Individuals
Allan Gross
Errol Yim and Andrea Yim, jointly
Ava Gross
Karen Nakagawa and Calvin Nakagawa, jointly
Carol Jaxon
Carole Kai Onouye
Diane Curtis
Dwight Otani and Theresa Otani, jointly
Edward Bugarin
Ellen Fleishman
Gemie Arakawa
George Tamashiro
Guy Pace and Caroline Berdusco, jointly
Heidi Berger
Henry Ko
Hongwei Su
James Brand
Janis L. Lai Trustee
Jean Morel
Jian Zhang
Johann Strasser
John Dattomo and Daniela Dattomo
Kelly Ann Hiraki and Jonathan Wah Hee Hee, jointly
Randall Y.C. Ho
Robert Atkinson
Roberta Sunahara and Paul Sunahara, jointly
Seymour Kazimirski
Stanley Salcedo

Trusts
Charlyn Shizue Honda Masini Trust, by and through its trustee(s)
Fleishman Family Trust, by and through its trustee(s)
J. Zachery Jones Trust, by and through its trustee(s)
Jane Shigeta Revocable Living Trust, by and through its trustee(s)
Jasen Takei Revocable Living Trust, by and through its trustee(s)
Melvin Shigeta Revocable Living Trust, by and through its trustee(s)
Ruth Hisaye Honda Trust, by and through its trustee(s)
S. Bucky Revocable Living Trust & Bruce E. Bucky Revocable Living Trust, by and through its trustee(s)
Wallace K. Tsuha Trust, by and through its trustee(s)
Corporations / Partnerships
1236068 Ontario Limited
1649750 Ontario Inc.
1818019 Ontario Limited
Citydrill Inc.
Gross Capital Inc.
Dirk and Dale IRA LLC
Gross Medical Opportunities Fund LP
Hybrid Activities Inc.
Mark Craig Gross Holdings Inc.
Randy 88, LLC
Rastogi Medicine Professional Corporation
RMK IRA LLC

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Proceeding Commenced at Toronto

**ORDER
(Substituting Service)**

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