

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

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**

**SUPPLEMENTARY MOTION RECORD  
(Sale Approval and Ancillary Matters)  
Returnable May 24, 2022**

May 20, 2022

**BLAKE, CASSELS & GRAYDON LLP**  
Barristers and Solicitors  
199 Bay Street  
Suite 4000, Commerce Court West  
Toronto, Ontario M5L 1A9

**Pamela L.J. Huff**, LSO #27344V  
Tel: 416-863-2958  
Email: [pamela.huff@blakes.com](mailto:pamela.huff@blakes.com)

**Aryo Shalviri**, LSO #63867A  
Tel: 416-863-2962  
Email: [aryo.shalviri@blakes.com](mailto:aryo.shalviri@blakes.com)

**Chris Burr**, LSO #55172H  
Tel: 416-863-3261  
Email: [chris.burr@blakes.com](mailto:chris.burr@blakes.com)

**Alexia Parente**, LSO #81927G

Tel: 416-863-2417

Fax: 416-863-2653

Email: [alexia.parente@blakes.com](mailto:alexia.parente@blakes.com)

Lawyers for the Receiver

**TO: SERVICE LIST**

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
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**SERVICE LIST**  
(as at April 29, 2022)

<p><b>BLAKE, CASSELS &amp; GRAYDON LLP</b> 199 Bay Street Suite 4000, Commerce Court West Toronto, Ontario M5L 1A9</p> <p><b>Pamela L.J. Huff</b>, LSO #27344V Tel: 416-863-2958 Email: <a href="mailto:pamela.huff@blakes.com">pamela.huff@blakes.com</a></p> <p><b>Chris Burr</b>, LSO #55172H Tel: 416-863-3261 Email: <a href="mailto:chris.burr@blakes.com">chris.burr@blakes.com</a></p>	<p><b>KPMG INC.</b> Bay Adelaide Centre 333 Bay Street, Suite 4600 Toronto, Ontario M5H 2S5</p> <p><b>Nick Brearton</b> Tel: 416-777-3768 Email: <a href="mailto:nbrearton@kpmg.ca">nbrearton@kpmg.ca</a></p> <p><b>George Bourikas</b> Tel: 416-777-8887 Email: <a href="mailto:gbourikas@kpmg.ca">gbourikas@kpmg.ca</a></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>Aryo Shalviri</b>, LSO #63867A Tel: 416-863-2962 Email: <a href="mailto:aryo.shalviri@blakes.com">aryo.shalviri@blakes.com</a></p> <p><b>Alexia Parente</b>, LSO #81927G Tel: 416-863-2417 Fax: 416-863-2653 Email: <a href="mailto:alexia.parente@blakes.com">alexia.parente@blakes.com</a></p> <p><i>Lawyers for the Applicants and the Receiver</i></p>	<p><b>Katherine Forbes</b> Tel: 416-777-8107 Email: <a href="mailto:katherineforbes@kpmg.ca">katherineforbes@kpmg.ca</a></p> <p><b>Jojo Tang</b> Email: <a href="mailto:jojotang@kpmg.ca">jojotang@kpmg.ca</a></p> <p><i>Receiver</i></p>
<p><b>NORTON ROSE FULBRIGHT CANADA LLP</b> 222 Bay Street, Suite 3000 P.O. Box 53 Toronto, Ontario M5K 1E7</p> <p><b>Evan Cobb</b> Tel: 416-216-1929 Email: <a href="mailto:evan.cobb@nortonrosefulbright.com">evan.cobb@nortonrosefulbright.com</a></p> <p><i>Independent Counsel for the Receiver</i></p>	<p><b>WEISZ FELL KOUR</b> 200 Bay Street, Suite 2305 P.O. Box 120 Toronto, Ontario M5J 2J3</p> <p><b>Sharon A. Kour</b> Tel: 416-613-8283 Email: <a href="mailto:skour@wfkllaw.ca">skour@wfkllaw.ca</a></p> <p><b>Caitlin Fell</b> Tel: 416-613-8282 Email: <a href="mailto:cfell@wfkllaw.ca">cfell@wfkllaw.ca</a></p> <p><i>Lawyers for the Legal Owner, Victoria Avenue North Holdings Inc.</i></p>
<p><b>EMILY EVANGELISTA</b> 101 10 Director Court Woodbridge, Ontario L4L 7E8 Tel: 905-265-2252, ext. 337 Email: <a href="mailto:emily@evangelistalaw.ca">emily@evangelistalaw.ca</a></p> <p><i>Lawyer for Tanbros Investments Ltd.</i></p>	<p><b>PETER I WALDMANN PROFESSIONAL CORPORATION</b> 183 Augusta Avenue Toronto, Ontario M5T 2L4</p> <p><b>Peter I Waldmann</b> Email: <a href="mailto:peter@peteriwaldmann.com">peter@peteriwaldmann.com</a>; <a href="mailto:info@peteriwaldmann.com">info@peteriwaldmann.com</a>; <a href="mailto:legalservices@peteriwaldmann.com">legalservices@peteriwaldmann.com</a></p> <p><i>Lawyer for Yun Zuo in her personal capacity and as the trustee of The Xuezhong Family Trust, Qiu Xie as the trustee of Xie 2018 Family Trust, Jian Ming Xu (Plaintiff in related court proceedings), and Xing Wang (Plaintiff in related court proceedings)</i></p>

***Legal Owner / Beneficial Owners:***

<b>VICTORIA AVENUE NORTH HOLDINGS INC.</b> 200 Ronson Drive, Suite 201 Toronto, Ontario M9W 5Z9  Attention: Mark Gross Email: <a href="mailto:mark@danimax.ca">mark@danimax.ca</a>	<b>THE BENEFICIAL OWNERS LISTED ON SCHEDULE "A"</b>
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***Ministries / Municipalities:***

<b>CANADA REVENUE AGENCY</b> c/o Department of Justice Ontario Regional Office The Exchange Tower, Box 36 Suite 3400, 130 King Street West Toronto, Ontario M5X 1K6  <b>Diane Winters</b> , General Counsel Tel: 416-973-3172 Fax: 416-973-0810 Email: <a href="mailto:diane.winters@justice.gc.ca">diane.winters@justice.gc.ca</a>  <b>Rakhee Bhandari</b> Tel: 416-952-8563 Email: <a href="mailto:rakhee.bhandari@justice.gc.ca">rakhee.bhandari@justice.gc.ca</a>	<b>MINISTRY OF FINANCE (ONTARIO)</b> Insolvency Unit 33 King Street West, 6th Floor Oshawa, Ontario L1H 8H5  Email: <a href="mailto:insolvency.unit@ontario.ca">insolvency.unit@ontario.ca</a>
<b>CITY OF HAMILTON</b> 71 Main Street West Hamilton, Ontario L8P 4Y5  Attention: Legal Services Email: <a href="mailto:kaush.parameswaran@hamilton.ca">kaush.parameswaran@hamilton.ca</a>	

***Parties with PPSA Registrations:***

<b>BLUE CHIP LEASING CORPORATION</b> c/o Vault Credit Corporation 41 Scarsdale Road, Unit 5 Toronto, Ontario M3B 2R2  Attention: Diana Ortis Email: <a href="mailto:dortis@vaultcredit.ca">dortis@vaultcredit.ca</a>	<b>MILLER THOMSON LLP</b> Scotia Plaza 40 King Street West, Suite 5800 Toronto, ON M5H 3S1  <b>Asim Iqbal</b> , LSO #61884B Tel: 416-597-6008 Fax: 416-863-1716 Email: <a href="mailto:aiqbal@millerthomson.com">aiqbal@millerthomson.com</a>  <i>Lawyers for De Lage Landen Financial Services Canada Inc.</i>
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<p><b>MERIDIAN ONECAP CREDIT CORP.</b> 204 - 3185 Willingdon Green Burnaby, British Columbia V5G 4P3 Attention: Joanna Alford, Loss Recovery Specialist Email: <a href="mailto:joanna.alford@meridianonecap.ca">joanna.alford@meridianonecap.ca</a></p>	
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***Parties with Encumbrances Registered on Title:***

<p><b>1012689 ONTARIO LIMITED</b> 45 Lower Jarvis Street Toronto, Ontario M5E 1R8 Attention: Joe Chiaravalloti Email: <a href="mailto:joe@canadaautoparks.com">joe@canadaautoparks.com</a></p> <p>With a copy to:</p> <p><b>DALE &amp; LESSMANN LLP</b> 181 University Avenue, Suite 2100 Toronto, Ontario M5H 3M7</p> <p><b>Nedko Petkov</b> Tel: 416-369-7821 Email: <a href="mailto:npetkov@dalelessmann.com">npetkov@dalelessmann.com</a></p>	<p><b>MILLER THOMSON LLP</b> Scotia Plaza 40 King Street West, Suite 5800 Toronto, ON M5H 3S1</p> <p><b>Asim Iqbal</b>, LSO #61884B Tel: 416-597-6008 Fax: 416-863-1716 Email: <a href="mailto:aiqbal@millerthomson.com">aiqbal@millerthomson.com</a></p> <p><i>Lawyers for De Lage Landen Financial Services Canada Inc.</i></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Email Distribution List:**

[pamela.huff@blakes.com](mailto:pamela.huff@blakes.com); [chris.burr@blakes.com](mailto:chris.burr@blakes.com); [aryo.shalviri@blakes.com](mailto:aryo.shalviri@blakes.com);  
[alexia.parente@blakes.com](mailto:alexia.parente@blakes.com); [nbrearton@kpmg.ca](mailto:nbrearton@kpmg.ca); [gbourikas@kpmg.ca](mailto:gbourikas@kpmg.ca);  
[katherineforbes@kpmg.ca](mailto:katherineforbes@kpmg.ca); [jojotang@kpmg.ca](mailto:jojotang@kpmg.ca); [evan.cobb@nortonrosefulbright.com](mailto:evan.cobb@nortonrosefulbright.com);  
[skour@wfkaw.ca](mailto:skour@wfkaw.ca); [cfell@wfkaw.ca](mailto:cfell@wfkaw.ca); [emily@evangelistalaw.ca](mailto:emily@evangelistalaw.ca); [mark@animax.ca](mailto:mark@animax.ca);  
[peter@peteriwaldmann.com](mailto:peter@peteriwaldmann.com); [info@peteriwaldmann.com](mailto:info@peteriwaldmann.com); [legalservices@peteriwaldmann.com](mailto:legalservices@peteriwaldmann.com);  
[diane.winters@justice.gc.ca](mailto:diane.winters@justice.gc.ca); [rakhee.bhandari@justice.gc.ca](mailto:rakhee.bhandari@justice.gc.ca); [insolvency.unit@ontario.ca](mailto:insolvency.unit@ontario.ca);  
[kaush.pameswaran@hamilton.ca](mailto:kaush.pameswaran@hamilton.ca); [dortis@vaultcredit.ca](mailto:dortis@vaultcredit.ca); [aiqbal@millerthomson.com](mailto:aiqbal@millerthomson.com);  
[joanna.alford@meridianonecap.ca](mailto:joanna.alford@meridianonecap.ca); [joe@canadaautoparks.com](mailto:joe@canadaautoparks.com); [npetkov@dalelessmann.com](mailto:npetkov@dalelessmann.com);

## SCHEDULE "A"

<b>Individuals</b>
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

<b>Trusts</b>
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)
<b>Corporations / Partnerships</b>
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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**SUPPLEMENTARY MOTION RECORD**

**I N D E X**

<b>Tab</b>	<b>Description</b>	<b>Page</b>
1.	Supplement to the Third Report of the Receiver dated May 20, 2022	1

**TAB 1**

Court File No.: CV-21-00665375-00CL

**SUPPLEMENT TO THE THIRD REPORT OF KPMG INC.,  
IN ITS CAPACITY AS RECEIVER AND MANAGER OF**

**Victoria Avenue North Holdings Inc.**

**MAY 20, 2022**

Court File No.: CV-21-00665375-00CL

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

**AMERICAN GENERAL LIFE INSURANCE COMPANY and  
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**Applicants**

**AND**

**VICTORIA AVENUE NORTH HOLDINGS INC.  
and THE PARTIES LISTED ON SCHEDULE  
“A”<sup>1</sup>**

**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**

**SUPPLEMENT TO THE THIRD REPORT OF  
KPMG INC.  
In its capacity as Receiver and Manager**

**DATED MAY 20, 2022**

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<sup>1</sup> See Schedule “A” to the Appointment Order of Mr. Justice Koehnen granted on August 3, 2021.

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**II. TOWN HALL..... 1**

## I. INTRODUCTION

1. This supplementary report (the “**Supplemental Report**”) is supplementary to the third report of KPMG Inc. in its capacity as Receiver of, *inter alia*, Victoria Avenue North Holdings Inc. dated May 13, 2022 (the “**Third Report**”). The purpose of this Supplemental Report is to provide this Court with information pertaining to the Town Hall held on May 18, 2022 at 3:00 p.m. Eastern Time, as outlined in the Third Report.
2. This Supplemental Report should be read in conjunction with the Third Report as information contained in the Third Report has not been repeated in this Supplemental Report to avoid duplication. All capitalized terms not defined herein are as defined in the Third Report.

## II. TOWN HALL

3. As outlined in the Third Report, given the number of parties purporting to have an interest in these Proceedings and who have expressed an interest in the status and outcome of these Proceedings to date, the Receiver held the Town Hall as a virtual informational meeting on May 18, 2022 at 3:00 p.m. to provide an overview of the Proposed Transactions and to address any questions in respect of the status of these Proceedings and the status of the Southmount Et Al. Proceedings. Notice of the Town Hall was (i) provided to all parties known to the Receiver claiming a beneficial interest in and to the Legal Owners’ Property and the Service List in these Proceedings, and (ii) also posted on the Receiver’s Website.
4. While the Town Hall was intended to be a venue for self-represented parties claiming to have an interest in the Proceedings to raise questions and concerns, the Receiver did not seek proof of a valid claim in these Proceedings to attend the Town Hall. However, attendees were asked to register, so that the Receiver could keep track of who attended. The Receiver requested at the beginning of the Town Hall that any media identify themselves and disconnect. Receipt of notice of the Town Hall, and attendance thereat, was not an indication or agreement by the Receiver that the applicable attendee has a valid claim in these Proceedings.
5. Twelve (12) parties registered in advance for the Town Hall, and fourteen parties (14) attended, in addition to representatives of the Receiver, Blakes, and Norton Rose. The Receiver has assembled an attendance list, which will be shared with the Court or any party who has demonstrated a legitimate interest in the Property, upon request.
6. During the Town Hall, the Receiver provided an overview of (i) the Third Report, (ii) the results of the Sale Process, (iii) the Proposed Transactions, and (iii) the relief being sought by the Receiver at the May 24<sup>th</sup> Motion. The Receiver subsequently provided an opportunity for any attendees to ask questions.

Only two questions were raised which were answered by the Receiver and its counsel as appropriate and the Town Hall concluded at 3:29 p.m. after all such questions had been addressed.

All of which is respectfully submitted this 20<sup>th</sup> day of May, 2022.

**KPMG Inc.**  
**In its capacity as Receiver and Manager of**  
**Victoria Avenue North Holdings Inc.**

**And not in its personal or corporate capacity**

Per:



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**Katherine Forbes**  
**CPA, CA, CIRP, LIT**  
President



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**George Bourikas**  
**CPA, CA, CIRP, LIT**  
Vice President

AMERICAN GENERAL LIFE INSURANCE COMPANY, *et al.*  
Applicants

- and -

VICTORIA AVENUE NORTH HOLDINGS INC., *et al.*  
Respondents

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**SUPERIOR COURT OF JUSTICE**  
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Proceeding Commenced at Toronto

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**Returnable May 24, 2022**

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Barristers and Solicitors

199 Bay Street

Suite 4000, Commerce Court West

Toronto, Ontario M5L 1A9

**Pamela L.J. Huff**, LSO #27344V

Tel: 416-863-2958

Email: [pamela.huff@blakes.com](mailto:pamela.huff@blakes.com)

**Aryo Shalviri**, LSO #63867A

Tel: 416-863-2962

Email: [aryo.shalviri@blakes.com](mailto:aryo.shalviri@blakes.com)

**Chris Burr**, LSO #55172H

Tel: 416-863-3261

Email: [chris.burr@blakes.com](mailto:chris.burr@blakes.com)

**Alexia Parente**, LSO #81927G

Tel: 416-863-2417

Fax: 416-863-2653

Email: [alexia.parente@blakes.com](mailto:alexia.parente@blakes.com)

Lawyers for the Receiver