

**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**

**UNOFFICIAL TRANSCRIPT OF THE SUPPLEMENTARY ENDORSEMENT
OF JUSTICE KOEHNEN
dated September 15, 2021**

Since issuing the endorsement below, I have received additional information from Mr. Burr which calls for minor revisions to it.

Mr. Burr advises that there are 10, not 9 beneficial owners in respect of whom the Receiver has no email address.

Mr. Burr advises that the corporate legal owner no longer has a functioning physical business address, as a result of which service on the legal owner will be effected by service on the director of the legal owner, including by email.

With reference to the time of future case conferences, they should occur at 3 PM eastern time or later unless otherwise directed by the court.

Justice Markus Koehnen
Ontario Superior Court of Justice
361 University Ave.
Toronto, ON M5G 1T3

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OF JUSTICE KOEHNEN
dated September 14, 2021**

The Receiver seeks authority to stop serving beneficial owners for whom it has no email address with notices of further steps in this proceeding. There are 9 such owners. Those 9 owners will be sent a letter indicating that if they do not give the Receiver an email address by a specified date, they will receive no further notices of steps in this proceeding.

The legal owner will continue to receive notices on behalf of those 9 (and indeed all other) beneficial owners.

There are 3 beneficial owners in respect of which the Receiver has not received either an email or a mailing address. The Receiver should continue to engage with the legal owner to obtain contact information for those 3 beneficial owners.

Mr. Tsuha is one of the beneficial owners. He raised an issue about the timing of future case conferences because he and other beneficial owners reside in Hawaii. Hawaii is 6 hours behind eastern time. As a result, today's case conference occurred at 3 AM Hawaii time. Further case conferences should occur at 3 PM eastern time or later.

Justice Markus Koehnen
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