

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

BETWEEN:

**VOLKAN BASEGMEZ, CEM BLEDA BASEGMEZ, ANIL RUKAN BASEGMEZ,
BA&B CAPITAL INC., SERDAR KOCTURK and KAAH HOLDINGS INC.**

Applicants

- and -

ALI AKMAN, SAMM CAPITAL HOLDINGS INC. and TARN FINANCIAL CORPORATION

Respondents

APPLICATION UNDER Sections 207 and 248 of the *Business Corporations Act*, R.S.O. 1990, c. B. 16

**MOTION RECORD
(Returnable 15 April 2019)**

Date: 10 April 2019

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NOTICE OF MOTION

THE APPLICANTS will make a Motion to the Court on Monday, 15 April 2019, at 10:00 a.m., or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

1. An Order authorizing and directing the Liquidator to make an interim distribution to the Applicants in an amount equal to eighty-five (85) per cent of the amount of the Applicants' claims as set forth in the Liquidator's Report dated 19 February 2019 (the "**Report**");
2. Costs of this Motion on a substantial indemnity basis, plus all application taxes; and
3. Such further and other relief as this Honourable Court may deem just and equitable.

THE GROUNDS FOR THE MOTION ARE:

1. The grounds set forth in the Report and, in particular, pages 22 and 23 of the Report.
2. Such further and other grounds as counsel may advise and this Honourable Court may accept.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Application:

1. The Report; and
2. Such evidence as this Honourable Court may permit.

Date: 10 April 2019

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VOLKAN BASEGMEZ, CEM BLEDA, et al
Applicants

v.

ALI AKMAN, SAMM CAPITAL HOLDINGS INC., et al
Respondents

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

(PROCEEDING COMMENCED AT TORONTO)

MOTION RECORD
(Returnable 15 April 2019)

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