



**SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

ENDORSEMENT

**COURT FILE
NO.:**

CV-25-00744295-00CL

DATE: July 31, 2025

NO. ON LIST: 2

**TITLE OF
PROCEEDING:**

**RIOCAN REAL ESTATE INVESTMENT TRUST et
al v. RIOCAN-HBC LIMITED PARTNERSHIP et al**

BEFORE:

JUSTICE OSBORNE

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party:

Name of Person Appearing	Name of Party	Contact Info
Jennifer Stam	The Receiver	jennifer.stam@nortonrosefulbright.com

For Defendant, Respondent, Responding Party:

Name of Person Appearing	Name of Party	Contact Info
Joseph Pasquariello	Rio Can Real Estate Investment Trust	jpasquariello@goodmans.ca

ENDORSEMENT OF JUSTICE OSBORNE:

[1] The Receiver moves for an order amending the Appointment Order dated June 3, 2025 to clarify certain protections provided to the Receiver and any third-party engaging employees related to employee-related liabilities.

[2] The Receiver relies upon the First Report of the Receiver dated July 24, 2025. Defined terms in this Endorsement have the meaning given to them in the motion materials unless otherwise stated.

[3] The Service List has been served. The relief sought today is unopposed.

[4] I am satisfied that it should be granted. The Appointment Order provides at paragraph 22, in effect, that all employees of the JV Entities shall remain as such, and the Receiver shall not be liable for any employee-related liabilities including successor employer liability. The primary function of the JV Entities is to hold real estate property interests.

[5] Historically, and since the JV Entities do not have any employees, those parties relied upon employees of HBC and its affiliates to perform all finance, accounting, legal and related property management work for the properties of the JV Entities. The Receiver may wish to retain a limited number of those former HBC employees to perform necessary property management services, given their experience with the relevant building systems and equipment. It needs to ensure that if it does so, however, it does not inadvertently assume any successor employer liability.

[6] The proposed amendment sought today facilitates the continued employment of certain current and former HBC employees to address this issue.

[7] For the above reasons, and for all of the reasons set out in the First Report, I am satisfied that the requested relief is appropriate, and that the proposed form of order amending paragraph 22 of the Appointment Order accurately reflects the relief sought and granted.

[8] Order to go in the form signed by me which is effective immediately and without the necessity of issuing and entering.

A handwritten signature in green ink, appearing to read "O'Brien J.", is located in the lower right portion of the page.