

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED, AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE OR ARRANGEMENT WITH RESPECT TO GROWTHWORKS CANADIAN FUND LTD.

GROWTHWORKS WYMANAGEMENT LTD. and GROWTHWORKS CANADIAN FUND LTD.

Plaintiff

Defendant

March 31, 2017

Court File No. CV-13-10279-00CL

March 31, 2017

ONTARIO
SUPERIOR COURT OF JUSTICE -
COMMERCIAL LIST

Proceeding commenced at Toronto

*Noted & signed
Gudruner & Blackley*

Harvey J

MOTION RECORD FOR THE APPLICANT
CORNERSTONE SECURITIES CANADA INC.

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Lawyer for the Applicant
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GROWTHWORKS WY MANAGEMENT LTD. Plaintiff and Defendant

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March 31, 2017

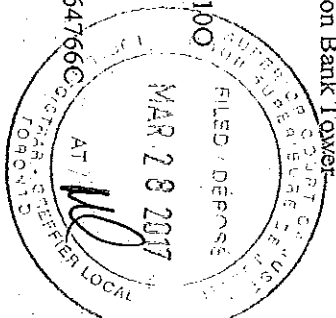
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ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
Proceeding commenced at Toronto

MOTION RECORD OF THE DEFENDANT
(REMOVING PARTY FROM SERVICE LIST)



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Lawyers for the Defendant,
GrowthWorks Canadian Fund Ltd.

Court File Number: CV-13-10279-002

Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

GROWTHWORKS LLP MANAGEMENT LTD. Plaintiff(s)
AND
GROWTHWORKS CANADIAN FUND LTD. Defendant(s)

Case Management Yes No by Judge: _____

Counsel	Telephone No:	Facsimile No:

- Order Direction for Registrar (No formal order need be taken out)
- Above action transferred to the Commercial List at Toronto (No formal order need be taken out)
- Adjudged to: _____
- Time Table approved (as follows): _____

① Mr. Zick, who represents
 Carney's Securities Canada
 Inc., seeks an order
 compelling the parties in this
 action to serve all

Judge's Signature _____

Date _____

Additional Pages 10

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Superior Court of Justice
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FILE/DIRECTION/ORDER

Judges Endorsement Continued

motions filed with the court upon certification.

② The respondent is ordered

CAA protection. A claim

procedure order has been

made that sets a claim

bar date of April 6, 2014

and directs that this claim

be determined by the court

③ The claim procedure

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Superior Court of Justice
Commercial List

FILE/DIRECTION/ORDER

Judges Endorsement Continued

trial was scheduled &

begin on March 27, 2017.

It has been adjourned &

a date to be fixed in the

near future.

④ Commentors had not file

a proof of claim by the

claim bar date. Justice

Spence invited Commentors

& bring a motion &

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FILE/DIRECTION/ORDER

Judges Endorsement Continued

file a late claim. Comyns

has not done so.

⑤ The Motion has

investigated Comyns's

claim and found it to be

without merit.

⑥ I am satisfied that

Comyns is not a creditor

because it did not file

a proof of claim by the

Proceedence that even

standing in the claims

comentary would have

me & decide whether

It is not necessary for

a member of the public has.

beyond any interest that

in the CCA proceedings

therefore has no interest

claim bar case. It

Judges Endorsement Continued

FILE/DIRECTION/ORDER

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if it was a creditor.
 I doubt that it would
 but the fact it is not
 a creditor in its
 of the name. It has
 no standing in the CAA
 claims procedure that
 and no right to be
 served with any documents
 with respect to that

Judges Endorsement Continued

FILE/DIRECTION/ORDER

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Judges Endorsement Continued

proceeding.

⑧ Therefore was added

& the CAA Service List

of the Fickels request.

Court for both parties

and the Hunter complain

That he is attempting

& interfere with the

CAA process. They

submit that because he is

8

not a creditor and has no
 interest in the
 CCA process therefore
 should be removed from
 the service list. I agree.
 The record demonstrates
 that he is meddling
 with the process and
 causing unnecessary

Judges Endorsement Continued

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Judges Endorsement Continued

① There is no good reason

why Comynore should

remain on the CMAA

Service List.

⑩ The Judge's and Comynore

are ordered removed from

The CMAA Service List.

They are not entitled to

Service of any documents

in the Claim Procedure

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Superior Court of Justice

Commercial List

FILE/DIRECTION/ORDER

Judges Endorsement Continued

Final. Commence

Motion is dismissed.

Interim Order Note in

granted.

(11) The parties may submit

written costs submission of

no more than 3 pages and

costs will be within 30

days.

March 31, 2017 *[Signature]*