

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

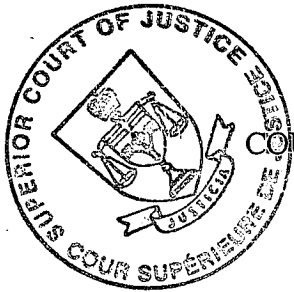
THE HONOURABLE *Mr*) WEDNESDAY, THE 21ST DAY OF
JUSTICE *C L Campbell*) MARCH, 2007

BETWEEN:

UDAYAN PANDYA

Plaintiff

-and-



COURTNEY WALLIS SIMPSON, YORK REGION
REALTY INC., WALLIS, SIMPSON & ASSOCIATES,
COURTNEY WALLIS SIMPSON c.o.b. as YORK MANAGEMENT GROUP
and as CAMCO DEVELOPMENTS and as YORK GROUP

Defendants

In the matter of the *Class Proceedings Act, 1992*


ORDER

THIS MOTION, made by the receiver for an Order approving the receiver's recommendations as set out in the receiver's eighth report, was heard this day.

ON READING the materials filed, and on hearing the submissions of counsel for the receiver, and from David Rothwell on behalf of Ajay Pahwa, no one appearing for the defendants,

1. **THIS COURT ORDERS** that the receiver has authority to fully and finally resolve Ajay Pahwa's claim to proceeds of mortgages registered on Simpson's property and the mortgages overpayment issues on the following terms:

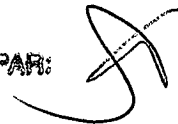
- (a) Ajay Pahwa shall pay to the Simpson receivership estate certified funds in the amount of \$70,000;
- (b) Ajay Pahwa shall waive any entitlement he may have to the funds in the amount of \$336,080 currently held in a separate interest bearing account by the Receiver. These funds were held in respect of Pahwa's claim to mortgage proceeds from the sale of Simpson's properties. These funds will now become part of the receivership estate;
- (c) Ajay Pahwa shall provide a sworn affidavit confirming all of the funds that he advanced to Simpson and as to all of the funds that he received from Simpson; and
- (d) Ajay Pahwa and the Receiver shall exchange mutually agreeable Mutual Releases conditional upon receipt of a sworn affidavit satisfactory to the Receiver's counsel as described at subparagraph (c) above.



ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE RÉGISTRE NO.:

MAR 22 2007

PER/PAR:



Udayan Pandya
Plaintiff

v.

Courtney Wallis Simpson et al.
Defendants

Court File No.: 05-CL-6159

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

In the matter of the *Class Proceedings*
Act, 1992

Proceeding commenced at Toronto

ORDER

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