

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

THE HONOURABLE *Madam* ) WEDNESDAY, THE <sup>27</sup>~~21~~<sup>ST</sup> DAY OF  
JUSTICE *Peppard* ) *June*  
~~MARCH~~, 2007 *MP*

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 ninth report, was heard this day.

ON READING the materials filed, and on hearing the submissions of counsel for the receiver, *and counsel for the plaintiffs in court file no. 05-CL-6178,* no one appearing for the defendants who have been noted in default,

1. **THIS COURT ORDERS** that the receiver has the authority to commence proceedings against Lloyd's of London (a.k.a. Nicholas Smith Attorney in Fact in Canada for Lloyd's of London) and against Courtney Wallis Simpson ("Simpson"), if necessary, seeking a judicial determination of the issue of claimants' entitlement to consumer deposit insurance proceeds for deposits lost due to Simpson's conduct.

2. **THIS COURT ORDERS** that time for service of the notice of motion and the motion record be abridged to the date and time of actual service and that such service is valid service of the materials filed in support of this motion.

✓ 3. *THIS COURT ORDERS* that *the receiver's* counsel shall, on or before ~~July 31~~ <sup>August 24</sup>, 2007, serve and file an action plan and litigation budget with respect to the proceedings described in paragraph 1 + present it to me at a 9:30 appointment to be arranged by counsel. ✓

*St. Repall, J.*

*copy*

**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**

**BENNETT JONES LLP**  
One First Canadian Place  
Suite 3400, P.O. Box 130  
Toronto, Ontario  
M5X 1A4

Lincoln Caylor / M. Joanne MacMillan  
Tel: (416) 777-6121 / 4629  
Fax: (416) 863-1716  
LSUC Reg. No. 37030L / 43529J

Solicitors for the receiver