

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

THE HONOURABLE)	MONDAY, THE 27TH
)	
JUSTICE CONWAY)	DAY OF MARCH, 2023
)	

B E T W E E N :

GEORGE VASTIS
Plaintiff
(Defendant to the Counterclaim)

- and -

HELEN VASTIS
Plaintiff

- and -

CHRISTOS KOMMATAS
Defendant
(Plaintiff to the Counterclaim)

- and -

CALLDRON GAS BARS LTD. and 1195705 ONTARIO INC.,
carrying on business as OLD PRO DRIVING RANGE
Defendants
(Defendants to the Counterclaim)

APPROVAL ORDER

THIS MOTION, made by The Fuller Landau Group Inc., in its capacity as the Court-appointed liquidator and receiver (in these capacities, the “**Liquidator**”) of the undertaking, property and assets of Calldron Gas Bars Ltd. (“**Calldron**”) and 1195705 Ontario Inc. o.a. Old Pro Driving Range (“**Old Pro**”, and together with Calldron are the “**Companies**”) for an order:

- (a) if necessary, abridging and validating the time for service and filing of the notice of motion and the motion record contained herein, validating service and dispensing with further service upon any other persons not already served with this notice of motion and motion record so that the motion is properly returnable today
- (b) approving the activities of the Liquidator and its counsel as outlined in the First Report of the Liquidator dated March 17, 2023 (the “**First Report**”), and the confidential appendix thereto (the “**Confidential Appendix 1**”);
- (c) approving the listing agreement for the sale of the property located at 10733 Highway #7 and 10365 Highway #7, Acton, Ontario (the “**Acton Property**”) between the Liquidator and CBRE Limited (“**CBRE**”) as the listing realtor (the “**Listing Agreement**”) and authorizing the Liquidator to enter into the Listing Agreement;
- (d) approving the lease between Old Pro Management Consulting Ltd. (the “**Tenant**”) and the Liquidator dated March 14, 2023 (the “**Lease**”), and authorizing the Liquidator to enter into the Lease;
- (e) authorizing and directing J&J, Chartered Professional Accountants (the “**Accountants**”) to finalize the Companies’ fiscal 2022 financial statements;
- (f) authorizing and directing the Accountants to prepare and submit the Companies’ tax filings for the 2022 fiscal year; and
- (g) sealing the Confidential Appendix 1 of the First Report, which contains information related to the solicitation of proposals for the sale of the Acton Property, until the earlier of: (i) entering into an unconditional agreement of purchase and sale for the Acton Property, or (ii) a further Order of this Court;
- (h) approving the fees and disbursements of the Liquidator and its counsel;

was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the First Report, the Confidential Appendix 1, the factum, and the affidavits of the Liquidator and its counsel as to fees (the “**Fee Affidavits**”), and on hearing the submissions of counsel for the Liquidator, and counsel for Chris Kommatas (“**Chris**”) and George Vastis (“**George**” and together with Chris are the “**Principals**”), no one appearing for any other person on the service list, although properly served as appears from the affidavit of Jennifer Manning sworn March 17, 2023, filed:

SERVICE

1. **THIS COURT ORDERS AND DECLARES** that the time for service of the notice of motion and the motion record is hereby abridged and validated so that the motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF LISTING AGREEMENT

2. **THIS COURT ORDERS** that the Listing Agreement is hereby approved, and the Liquidator is authorized to execute the Listing Agreement.

APPROVAL OF THE LEASE

3. **THIS COURT ORDERS** that the Lease is hereby approved, and the Liquidator is authorized to execute the Lease.

APPROVAL OF THE 2022 FINANCIAL STATEMENTS

4. **THIS COURT AUTHORIZES AND DIRECTS** the Accountant to finalize the Companies’ fiscal 2022 financial statements.

5. **THIS COURT AUTHORIZES AND DIRECTS** the Accountant to prepare and submit the Companies’ tax filings for the 2022 fiscal year.

SEALING OF CONFIDENTIAL APPENDIX 1

6. **THIS COURT ORDERS** that Confidential Appendix 1, be and is hereby sealed until the earlier of: (i) entering into an unconditional agreement of purchase and sale for the Acton Property; or (ii) further Order of the Court.


APPROVAL OF LIQUIDATOR ACTIVITIES AND FEES

7. **THIS COURT ORDERS** that the activities of the Liquidator, as set out in the First Report and Confidential Appendix 1, are hereby approved.

8. **THIS COURT ORDERS** that the fees and disbursements of the Liquidator and its counsel, as set out in the First Report and the Fee Affidavits, are hereby approved.

FOREIGN RECOGNITION

9. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Liquidator and its agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the liquidator, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Receiver and its agents in carrying out the terms of this Order.



Signature of judge

GEORGE VASTIS et al
Plaintiffs

CHRISTOS KOMMATAS et al
Defendants

Court File No.: CV-20-00644241-00CL

CHRISTOS KOMMATAS
Plaintiff by Counterclaim

GEORGE VASTIS
Defendant to the Counterclaim

**ONTARIO
SUPERIOR COURT OF JUSTICE -
COMMERCIAL LIST**

Proceeding commenced at Toronto

APPROVAL ORDER

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Lawyers for the Liquidator

GEORGE VASTIS et al
Plaintiffs

CHRISTOS KOMMATAS et al
Defendants

Court File No.: CV-20-00644241-00CL

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**MOTION RECORD
(Returnable MARCH 27, 2023)**

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