



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: CV-17-00011697-00CL DATE: 30 May 2023

NO. ON LIST: 2

TITLE OF PROCEEDING: Basegmez, et al. v. Akman, et al.

BEFORE: JUSTICE MCEWEN

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
Patrick SHEA	Counsel for the Applicants	patrick.shea@gowlinglg.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Jonathan KULATHUNGAM	Counsel for Ali Akman and SAMM Capital Holdings Inc.	jkulathungam@teplitskycolson.com

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
Kyla MAHAR	Counsel for the Liquidator	kmahar@millertthomson.com

ENDORSEMENT OF JUSTICE MCEWEN:

The order shall go as per the draft signed by me today, as attached. The relief sought is imposed and is fair and reasonable. I have specifically reviewed the fees (action/other/disbursements) and all are in order.

The reserve is also appropriate and this is an appropriate time to release the Receiver. KPMG, however, will remain as Liquidator until those duties are discharged - including the further motion which will be discussed below.

The remaining ancillary terms - including bankruptcy and dissolution - are also fair and reasonable.

With respect to the dispute between the parties concerning the allocation of certain fees of the Liquidator and its counsel, it was adjourned.

At the commencement of the motion I asked for the Liquidator's views on the dispute, as a court officer, given its involvement in this long outstanding matter. - I asked because I felt it was important to have this input to

determine the dispute. There was nothing in
the Liquidator's report opining on its views.

The Resps. objected to my hearing this
advice as ^{the} they were hearing it for the
first time.

I agreed to adjourn this part of
the motion to Aug 24/23 @ 10am for
90 mins. The Liquidator will file its
report by mid-June and the partner
can respond.

McE