



SUPERIOR COURT OF JUSTICE

**COUNSEL SLIP/ENDORSEMENT**

COURT FILE NO.: CV-25-00741044-00CL

DATE: 13 May 2025

NO. ON LIST: 6

TITLE OF PROCEEDING: **CHIEF EXECUTIVE OFFICER OF THE FINANCIAL  
SERVICES REGULATORY AUTHORITY OF ONTARIO  
v. SUSSMAN MORTGAGE FUNDING INC. ET AL.**

BEFORE JUSTICE: **J. DIETRICH**

**PARTICIPANT INFORMATION**

**For Plaintiff, Applicant, Moving Party, Crown:**

Name of Person Appearing	Name of Party	Contact Info
George Benchetrit	Counsel for the Applicant, Chief Executive Officer of the Financial Services Regulatory Authority of Ontario	<a href="mailto:george@chaitons.com">george@chaitons.com</a>

**For Defendant, Respondent, Responding Party, Defence:**

Name of Person Appearing	Name of Party	Contact Info

**For Other, Self-Represented:**

Name of Person Appearing	Name of Party	Contact Info
Massimo Starnino	Counsel for the Investor/Creditor	<a href="mailto:Max.starnino@paliarerland.com">Max.starnino@paliarerland.com</a>
Matilda Lici	Proposed Representative Counsel of Investors, Select Investors	<a href="mailto:mlici@airdberlis.com">mlici@airdberlis.com</a>
Steven Graff		<a href="mailto:sgraff@airdberlis.com">sgraff@airdberlis.com</a>
Hilary Book	Counsel for Creditors, Stephen Shefsky, Rita Shefsky and Samantha Shefsky	<a href="mailto:hilary@be-law.ca">hilary@be-law.ca</a>

Allan Nackan	Counsel for the Receiver, B. Riley Farber Inc.	<a href="mailto:anackan@brileyfin.com">anackan@brileyfin.com</a>
Pavle Masic	Counsel for Investors, Alibeat Holdings Inc. formerly Laurie Starkman Professional Corporation, Bath-AV Investments Limited, Gary Brown Investments Limited, Robert Green Professional Corporation, Robland Estates Limited, Robgreen Management Inc., Robrik Oakville Developments Inc., Investments Ltd., Stephen Court Investments Ltd., 1724659 Ontario Inc., Robert Green, Brenda Green Investments Inc., RDB (Toronto) Holdings Inc., Bobflo Holdings Inc., Hybrid	<a href="mailto:pmasic@rickettsharris.com">pmasic@rickettsharris.com</a>
Kenneth Kraft	Counsel for the Receiver, B. Riley Farber Inc.	<a href="mailto:kenneth.kraft@dentons.com">kenneth.kraft@dentons.com</a>
Evan Snyder	Proposed Representative Counsel, Paliare Roland LLP	<a href="mailto:evan.snyder@paliareroland.com">evan.snyder@paliareroland.com</a>

---

#### **ENDORSEMENT OF JUSTICE J. DIETRICH**

[1] At a hearing held on May 2, 2025, I scheduled a motion filed by Aird & Berlis LLP (“**A&B**”) seeking a representative counsel order to be heard on May 16, 2025 for 90 minutes.

[2] Today, I was advised that on the afternoon of May 9, 2025, Paliare Roland Rosenberg Rothstein LLP (“**Paliare**”) served a competing motion also seeking a representation Order.

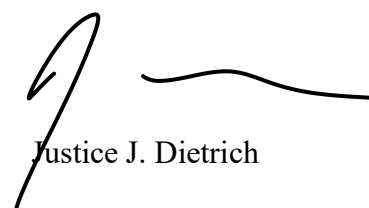
[3] Additionally, I was advised that counsel to the Goldfarb investors also delivered correspondence to the service list addressing A&B’s ability to act as representative counsel given potential conflict issues. However, based on discussions between the Goldfarb investors and A&B I am advised that issue has now been resolved.

[4] Given these developments and in advance of the May 16, 2025 motion date, a brief case conference was held today to address scheduling / procedural matters.

[5] All counsel agree that both the A&B and the Paliare Motions can be heard within the 90 minutes allocated on May 16, 2025. A&B and Paliare are encouraged to confer to see if there is a consensual path forward, even on an interim basis.

[6] In any event, all material should be uploaded to case center no later than 5:00 pm on Thursday May 15, 2025.

May 13, 2025



Justice J. Dietrich