

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR.

JUSTICE CHALMERS

BETWEEN:

**GRISEL ALONSO, AS RECEIVER FOR ELM TREE INVESTMENT
ADVISORS, LLC, ELM TREE INVESTMENT FUND, LP, ELM TREE
'e' CONOMY FUND, LP, ELM TREE MOTION OPPORTUNITY, LP,
and ETOPIA, LP**

Plaintiff

- and -

TED GREENWALD

Defendant

JUDGMENT

THIS MOTION, made by the Plaintiff, Grisel Alonso, as Receiver for Elm Tree Investment Advisors, LLC, Elm Tree Investment Fund, LP, Elm Tree 'e' Conomy Fund, LP, Elm Tree Motion Opportunity, LP, and Etopia, LP, for an order granting summary judgment against the Defendant, Ted Greenwald, was heard on February 25, 2019 at the Court House, 393 University Avenue, Toronto, Ontario, M5G 1E6.

ON READING the pleadings; the Plaintiff's Amended Motion Record, Factum, Brief of Authorities, Compendium, and Chronology; and the Defendant's Responding Motion Record, Reply Affidavit, and Factum; and on hearing the submissions of counsel for the Plaintiff, and the Defendant on his own behalf,

1. **THIS COURT ORDERS AND ADJUDGES** that this motion for summary judgment is granted and declares that the Defendant shall pay the Plaintiff \$110,000.00

(USD), pursuant to s. 121 of the *Courts of Justice Act*, in an amount of Canadian currency sufficient to purchase \$110,000.00 (USD) at a bank in Ontario listed in Schedule 1 to the *Bank Act* (Canada) ("bank"), and based upon the exchange rate applicable for Canadian dollar purchases of U.S. currency quoted by the bank at the close of business on the day before payment of the obligation is made to the Plaintiff.

2. **THIS COURT ORDERS AND ADJUDGES** that the Defendant shall pay prejudgment interest to the Plaintiff in the sum of \$899.59 (USD), pursuant to s. 121 of the *Courts of Justice Act*, in an amount of Canadian currency sufficient to purchase \$899.59 (USD) at a bank in Ontario listed in Schedule 1 to the *Bank Act* (Canada) ("bank"), and based upon the exchange rate applicable for Canadian dollar purchases of U.S. currency quoted by the bank at the close of business on the day before payment of the obligation is made to the Plaintiff.

3. **THIS COURT ORDERS AND ADJUDGES** that the Defendant shall pay to the Plaintiff the sum of \$ 6,500 (CAD) for costs of this motion and action.

This judgment bears interest at the rate of 3.0% per year from its date.

ENTERED AT / INSCRIPT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

APR 28 2019

PER/PAR





Chalmers, J.

GRISEL ALONSO, AS RECEIVER FOR ELM TREE INVESTMENT ADVISORS, LLC, ELM TREE INVESTMENT FUND, LP, ELM TREE 'e' CONOMY FUND, LP, ELM TREE MOTION OPPORTUNITY, LP, and ETOPIA, LP

Plaintiff

- and -

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PROCEEDING COMMENCED AT
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JUDGMENT

GOWLING WLG (CANADA) LLP
Lawyers, Patent & Trade-mark Agents
1 First Canadian Place
100 King Street West, Suite 1600
Toronto, ON M5X 1G5

Tel: 416-862-7525
Fax: 416-862-7661

Malcolm N. Ruby (LSUC #25970G)
Tel: 416-862-4314
Fax: 416-862-7661
malcolm.ruby@gowlingwlg.com

Matthew Doak (#65867W)
Tel: 416-814-5636
Fax: 416-862-7661
matthew.doak@gowlingwlg.com

Lawyers for the Plaintiff