



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP/ENDORSEMENT

COURT FILE NO.: BK-23-02783327-0032 DATE: 22 March 2023

NO. ON LIST: 2

TITLE OF PROCEEDING: IN THE MATTER OF THE BANKRUPTCY OF IAN
ROSS MCSEVNEY, an individual residing in the Town
of Ancaster in the Province of Ontario

BEFORE JUSTICE: KIMMEL

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
Monica Faheim	BDO Canada Limited, Trustee	mfaheim@Millerthomson.com
Gregory Azeff	BDO Canada Limited, Trustee	gazeff@millertomson.com

For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info
Sheridan Smith	Elaine McSevney	ssmith@marler.ca

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info

ENDORSEMENT OF JUSTICE KIMMEL:

1. The Trustee seeks a declaration that the sale of certain property located at Unit 9 at 81 Valridge Drive (the "Unit 9 Property") by the Debtor, Ian Ross McSevney, to a company owned by his sister Elaine McSevney on August 4, 2020 was a transfer at undervalue within the meaning of s. 96 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 (the "BIA"), and an order for payment of the purchase price differential among other relief.
2. The respondent Elaine McSevney has now retained counsel. Counsel for the Trustee does not oppose the request for a further adjournment of this motion. Accordingly, on consent, this motion is adjourned to June 2, 2023 for 2.5 hours.
3. The parties shall adhere to the following consent timetable for the pre-hearing steps:
 - a. Responding Motion Record to be delivered: April 7, 2023
 - b. Supplemental Report of Trustee (and Reply Motion Record) to be delivered: April 14, 2023
 - c. Cross-examinations and written questions for Trustee to be completed, if any: April 21, 2023
 - d. Undertakings and written questions for the Trustee to be answered, if any: April 28, 2023
 - e. Responding Factum to be delivered: May 12, 2023
 - f. Reply Factum, if any: May 26, 2023
4. The value of the Unit 9 Property is expected to be the primary point of dispute on this motion. It is anticipated that the Trustee may include some additional evidence as to the value of the Unit 9 Property as at the date of its transfer to Ms. McSevney in the Trustee's Supplemental Report/Reply Motion Record.
5. All materials shall be served and filed in the normal course. All materials shall be uploaded by counsel onto CaseLines in the appropriate bundle for this motion (including any materials previously served and filed that will be relied upon at the return of this motion on June 2, 2023) by not later than May 29, 2023 or as soon thereafter as the June 2, 2023 motion bundle is available in CaseLines.
6. This endorsement and the orders and directions contained in it shall have the immediate effect of a court order without the necessity of a formal order being taken out.



KIMMEL J.