

File No. CI 19-01-24891

THE QUEEN'S BENCH
WINNIPEG CENTRE

IN THE MATTER OF THE APPOINTMENT OF A RECEIVER PURSUANT TO
SECTION 55 OF THE COURT OF QUEEN'S BENCH
ACT C.C.S.M. c. C280

BETWEEN:

FORTUNELLA SEVILLA,

Applicant,

– and –

**7483547 MANITOBA LTD. carrying on
business under the firm name and style
of FINE HAUS BUILDING CO. and the
said FINE HAUS BUILDING CO., and
JASON L.F. CIANFLONE,**

Respondents.

SECOND INTERIM ORDER

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(File No. 14217-009)

THE QUEEN'S BENCH
Winnipeg Centre

THE HONOURABLE MISTER	}	Friday, the 22 nd day of May, 2020
	}	
JUSTICE D. KROFT	}	

BETWEEN:

FORTUNELLA SEVILLA

Applicant,

- and -

**7483547 MANITOBA LTD. carrying on
business under the firm name and style of
FINE HAUS BUILDING CO. and the said
FINE HAUS BUILDING CO., and
JASON L.F. CIANFLONE**

Respondents.

SECOND INTERIM ORDER

THIS MOTION, made by Lazer Grant Inc., court-appointed Interim Receiver (“**Interim Receiver**”) of all the assets, property and undertaking of the respondents, 7483547 MANITOBA LTD. carrying on business under the firm name and style of FINE HAUS BUILDING CO. and the said FINE HAUS BUILDING CO., and under the firm name and style of MY MANITOBA FAMILY HOMES and the said MY MANITOBA FAMILY HOMES, and JASON L.F. CIANFLONE (collectively and respectively, “**Fine Haus**”) acquired for, or used in relation to a business carried on by the respondents, was heard this day at the Law Courts Buildings, 408 York Avenue in the City of Winnipeg, in the Province of Manitoba via teleconference.

IN THE PRESENCE OF:

Thomas G. Frohlinger, counsel for the Interim Receiver, Lazer Grant Inc.;

Renato Y. Mamucud, counsel for the Interim Receiver, Lazer Grant Inc.;

Collin LeGall, Vice-President of Lazer Grant Inc., the Interim Receiver;

Nicole D.M. Hamilton, counsel for McMunn & Yates Building Supplies Ltd.; and

Chideraanadi Mbanefo, self-represented party.

No other party from the Service List appearing, although properly served.

ON READING the First Report of the Interim Receiver, dated February 5, 2020 (“**First Report**”), the Second Report of the Interim Receiver, dated May 15, 2020 (“**Second Report**”) and on hearing the submissions from counsel for the Interim Receiver, counsel for McMunn & Yates Building Supplies Ltd., and from Ms. Chideraanadi Mbanefo;

THIS COURT ORDERS THAT:

1. The Interim Receiver is hereby authorized and empowered to sell the 2008 Dodge Grand Caravan by public auction;
2. The Interim Receiver is hereby authorized and empowered to assign its right to the refund of the development deposits held by the Rural Municipality of Hanover, to the registered owners of the subject properties;
3. The Interim Receiver is authorized and empowered to transfer the care and control of the Units located at 15 Woodbridge, 28, 30, 32, and 38 Briarfield Court, Niverville, Manitoba, to their respective registered owners, provided that the Interim Receiver

shall continue to preserve and protect said Units until such time as the Interim Receiver files an affidavit acknowledging that the care and control of each such property has been transferred to and accepted by their respective registered owners;

4. The Interim Receiver shall continue to preserve and protect 34 Briarfield Court, Niverville, Manitoba, and shall take any steps as the Interim Receiver deems necessary or desirable to maintain, protect, preserve, and secure said property;
5. The Interim Receiver is hereby authorized to enter into the sale of the Unit located at 26 Briarfield Court, subject to the Court's approval of the sale and subject to this Court's issuance of a Vesting Order in the name of the purchaser;
6. That unless otherwise provided herein the appointment of the Interim Receiver and the powers granted to the Interim Receiver in the Interim Order, shall continue in full force and effect until further order of this Court; and
7. This motion shall be returnable to August 14, 2020, at 9:00 a.m.

Signed this _____ day of _____, 2020.

D.J. Kroft, J. Digitally signed by D.J. Kroft,
J.
Date: 2020.06.11 13:52:02
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J. Kroft