

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**Court File No. CV-18-00604410-00CP**

**B E T W E E N:**

**CLEMENT CHU, NAHOM ABADI and IDA FABRIGA-CHU**

**Plaintiff**

**and**

**PARWELL INVESTMENTS INC., BLEEMAN HOLDINGS LIMITED, 650 PARLIAMENT  
RESIDENCES LIMITED, 650 PARLIAMENT (LHB) INVESTMENTS LIMITED,  
ELECTRICAL SAFETY AUTHORITY, GREATWISE DEVELOPMENTS CORPORATION  
and 77 HOWARD (LHB) INVESTMENTS LIMITED**

**Defendants**

**PROCEEDING COMMENCED UNDER THE *CLASS PROCEEDINGS ACT, 1992***

**Court File No. CV-18-00605178-00CP**

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

**YULIA TOMASH**

**Plaintiff**

**and**

**650 PARLIAMENT RESIDENCES LIMITED a.k.a. 650 PARLIAMENT RESIDENCES  
INC., 650 PARLIAMENT (LHB) INVESTMENTS LIMITED, PARWELL INVESTMENTS  
INC., BLEEMAN HOLDINGS LTD., and WELLESLEY/PARLIAMENT SQUARE LIMITED**

**Defendants**

**PROCEEDING COMMENCED UNDER THE *CLASS PROCEEDINGS ACT, 1992***

**NOTICE OF MOTION OF THE DEFENDANTS PARWELL INVESTMENTS INC.,  
BLEEMAN HOLDINGS LIMITED, 650 PARLIAMENT RESIDENCES LIMITED, 650  
PARLIAMENT (LHB) INVESTMENTS LIMITED, GREATWISE DEVELOPMENTS  
CORPORATION and 77 HOWARD (LHB) INVESTMENTS LIMITED, and  
WELLESLEY/PARLIAMENT SQUARE LIMITED**

THE DEFENDANTS Parwell Investments Inc., 650 Parliament (LHB) Investments Limited, 650 Parliament Residences Limited and Wellesley/Parliament Square Limited (“these defendants”), will make a motion to the Honourable Mr. Justice Belobaba on the 14<sup>th</sup> day of June, 2019, at a time and in a Courtroom be fixed by this Court.

THE MOTION will be heard orally.

THE MOTION IS FOR:

1. A Declaration that service of this motion as detailed in Schedule “A” hereto is sufficient.
2. An order allowing these defendants to remove the contents of all apartments at 650 Parliament Street, Toronto (“650”), in accordance with the procedure set out in the Affidavit of Nathan Normoyle dated May 21, 2019, and to have the contents placed in a “locker” made from secure fencing, in the two levels of parking the garage below 650, for inspection, valuation and possible removal from the premises, to allow for the completion of the repairs and restoration of 650.
3. A Declaration that the Release Form attached as Schedule “B” is fair and reasonable and is approved by this Honourable Court.
4. An Order that the tenants requesting compensation for contents or for any other benefits be required to produce copies of all residential insurance policies in effect at the time of the fire.
5. Such other declarations or orders as The Hon. Mr. Justice Belobaba may consider just.
6. Costs, if deemed appropriate by the Honourable Court.

THE GROUNDS FOR THE MOTION ARE:

1. The restoration experts engaged by these defendants to effect repairs to 650 have determined that removal of the contents in all apartments is necessary in order to cost effectively complete repairs to the building in a timely fashion.

2. The restoration experts engaged by these defendants have determined that repairs to 650 will be delayed and made significantly more expensive if any contents remain in any of the apartment units during repairs.
3. The property of the residents of 650 will be placed and secured in the basement of 650 where they can be accessed by their owners, inspected, valued and removed after inspection.
4. The defendants wish to deal with the tenants of 650 and provide compensation, including for the contents for their apartments in a manner in which is fair and reasonable, and to allow tenants who wish to resolve matters, to do so promptly.

**STATUTORY AND OTHER GROUNDS:**

1. Rules 1.04, 3.02(1), and 37 and Rule 1.05 of the *Rules of Civil Procedure*.
2. Sections 11 and 96 of the *Courts of Justice Act*
3. Sections 12, 13 14, 19, 20, 21 and 22 of the *Class Proceedings Act, 1992*
4. Such further and other grounds as counsel may advise and this Honourable Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1. The affidavits of Nathan Normoyle sworn on February 4, 2019 and May 21, 2019
2. The affidavit of Douglas Sartell dated May 15, 2019
3. Notice to Tenants attached as Schedule “A”
4. Draft Release Form attached as Schedule “B”

5. Such other evidence as may be allowed by the Court.

May 22, 2019

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CHU *et al.*  
Plaintiffs

and

PARWELL INVESTMENTS INC. *et al.*  
Defendants

Court File No: CV-18-00604410-00CP

Tomash.  
Plaintiff

and

PARWELL INVESTMENTS INC. *et al.*  
Defendants

Court File No. CV-18-00605178-00CP

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*ONTARIO*  
SUPERIOR COURT OF JUSTICE  
Proceeding commenced at TORONTO

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**NOTICE OF MOTION**

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