

ONTARIO
SUPERIOR COURT OF JUSTICE

DATE: June 4, 2021 SCJ FILE # BK-17-2314079

DaSilva v Jovkovic et al

Creditor: Clark J. for Jovkovic

Trustee: not appearing

ENDORSEMENT

Creditor's motion under s. 38 of the BIA for authorization to commence and prosecute proceedings at own expense and risk against the bankrupt re obtaining a declaration that the transfer of property from the bankrupt is undervalue and void as against the trustee.

Creditor obtained an order to continue and judgment against the bankrupt in amount of \$303,140.70 plus interest and costs. In October 2019, trustee notified the creditors of the bankrupt's transfer of his interest in the matrimonial home to his spouse 18 months before his bankruptcy. Trustee notified creditors that it did not intend to pursue the matter unless provided with sufficient funds to offset all anticipated costs.

I am satisfied the order may issue. Draft order signed.



Justice K.C. Tranquilli