



-L MYERS

ONTARIO

SUPERIOR COURT OF JUSTICE

Electronically issued : 22-Dec-2021
Délivré par voie électronique : 22-Dec-2021
Toronto
B E T W E E N.

YI HE and MOR GROUP INVESTMENT INC.

Plaintiffs
(Moving Parties)

-and-

PINYI LI, IRA E. BOOK and IRA E. BOOK PROFESSIONAL CORPORATION

Defendants
(Responding Parties without Notice)

ORDER

THIS MOTION, made without notice by the Plaintiffs, Yi He and Mor Investment Group Inc., for interim Orders in the form of (i) an Order pursuant to Rule 45.02, preserving all of the past and future recovery payable to the Defendant, Pinyi Li in *Pinyi Li v Hendren et. al.* Court File No. CV-19-00632873-0000 (the “**Recovery Action**”), intended to be held in trust by Ira E. Book and Ira E. Book Professional Corporation, to the credit of this Action; and (ii) a *Mareva* injunction restraining the Defendant, Pinyi Li, from dissipating his assets and an Order substituting service of either of the above to the Defendant, Pinyi Li be effected through his personal email address, was read this day at the Toronto Superior Court, 330 University Avenue, Toronto, Ontario M5G 1R8.

ON READING the Motion Record and Factum of the Plaintiffs,

1. **THIS COURT ORDERS** that paragraphs 1 and 3 of the November 15, 2021 Order of the Honourable Associate Justice Brott in the Recovery Action are hereby stayed pending further order of the Court. The Order of Justice Brott is attached hereto as **Schedule "A"**.

2. **THIS COURT ORDERS** the Accountant of the Superior Court of Justice (Ontario) shall not release to anyone the sum of \$523,500.00 (the Specific Fund) to the credit of the Recovery Action, pending further order of the Court.

3. **THIS COURT ORDERS** that ^{flm✓}service of this Order and of the Motion Record and Factum of the Plaintiff upon the Defendant, Pinyi Li will be effected through substituted service via his personal email at lpy19980614@gmail.com and through substituted service on his lawyer in the Recovery Action, Joanne Hwang of Hwang Law Barrister & Solicitor through her email at jhwang@hwanglaw.ca ^{flm✓} pursuant to ~~Article 15 of the Hague Service Convention and Rule 16.04~~ ^{✓ flm} of the *Rules of Civil Procedure*.

4. **THIS COURT ORDERS** that the balance of the motion is adjourned to be heard on notice to the Defendants.

2021.12.1
3 15:26:18
-05'00'

FL Myers J.

PINYI LI
(Plaintiff)

v. DARREN HENDREN, DELAXAN ITHAYANEESAN et al
(Defendants)

Court File No.: CV - 19- 00632873-0000

overdue 15/2021

In-writing.
On consent.
Order to go in accordance with
draft order filed.



ONTARIO
SUPERIOR COURT OF JUSTICE
Proceedings commenced at TORONTO

PLAINTIFF'S
MOTION RECORD

IRA E. BOOK (14092 M)
Barrister & Solicitor
200 – 85 Scarsdale Road
Toronto, Ontario
M3B 2R2

Tel: (416) 447-2665
Fax: (416) 447-0066
Email: ira@irabook.com

Lawyer for the Plaintiff
PINYI LI

Court File No. CV-19-00632873-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE

Associate
BROTT

)
)
)
)
)

MON DAY, THE *15th* DAY OF
November, 2021

B E T W E E N:

(Court Seal)

PINYI LI

Plaintiff

And

DARREN HENDREN, DELAXAN ITHAYANEESAN, THE ROYAL BANK OF CANADA,
MCLAREN VANCOUVER, PFAFF AUTO, HJ PFAFF MOTORS INC., HJ PFAFF MOTORS,
BELINDA SUK KUEN LO

ORDER

THIS MOTION made by the Plaintiff on consent for an Order releasing the funds paid into court as security for costs per the Order of Chalmers J. dated September 28th, 2021 and for an order that the funds held by the Accountant of the Ontario Superior Court of Justice pursuant to the Interpleader Orders made by Chalmers J. on June 11, 2020 and March 4th, 2021, respectively, be paid out to the following parties, to wit: to "Ira E. Book in Trust", the sum of twenty-five thousand (\$25,000.00) dollars together with accrued interest being a return of the security posted

-2-

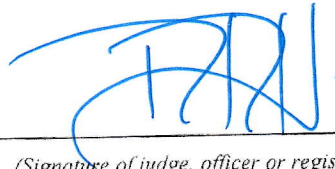
by the Plaintiff, to the law firm of "Torkin Manes LLP in Trust" the sum of one thousand, five hundred (\$1,500.00) dollars being the costs ordered by Chalmers J. on June 11, 2020, and to "Ira E. Book in Trust" the sum of four hundred and ninety-eight thousand, five hundred (\$498,500.00) dollars comprised of the balance of the monies paid into court pursuant to the two interpleader orders together with any accrued interest, was read this day at the courthouse, 330 University Avenue, Toronto, Ontario, M5G 1R7.

ON READING the Motion Record of the Plaintiff including the Affidavit of Ira E. Book sworn October 17th, 202, together with the Exhibits referred to therein and the Consent of the parties, filed:

1. **THIS COURT ORDERS** on consent that the Accountant of the Ontario Superior Court of Justice do pay out of the funds held to the credit of this action, to "Ira E. Book in Trust", the sum of twenty-five thousand (\$25,000.00) dollars paid into court by the Plaintiff as security for costs together with any accrued interest.
2. **THIS COURT ORDERS** on consent that the Accountant of the Ontario Superior Court of Justice do pay out of the funds held to the credit of this action, to the law firm of "Torkin Manes LLP in Trust", the sum of one thousand, five hundred (\$1,500.00) dollars for costs pursuant to the interpleader order of Chalmers J. dated June 11th, 2020.
3. **THIS COURT ORDERS** on consent that the Accountant of the Ontario Superior Court of Justice do pay out of the funds held to the credit of this action to "Ira E. Book in Trust" the sum of four hundred and ninety-eight thousand, five hundred (\$498,500.00) dollars being the balance of the funds held to the credit of this action pursuant to the interpleader orders of Chalmers J. dated June 11th, 2020 and March 4th, 2021 respectively together with any accrued interest.

-3-

4. **THIS COURT ORDERS** on consent that there shall be no costs of this motion.
5. **THIS COURT ORDERS** on consent that the approval of the lawyer for the Defendants to issue the order or the necessity of having the Plaintiff attend before the Registrar to settle the terms of the order is hereby dispensed with.
6. **THIS COURT ORDERS** that this Order shall take effect immediately without it being entered.

A handwritten signature in blue ink, consisting of stylized, overlapping loops and lines, positioned above a horizontal line.

(Signature of judge, officer or registrar)

PINYI LI
(Plaintiff)

v. DARREN HENDREN, DELAXAN ITHAYANEESAN et al
(Defendants)
Court File No.: CV- 19- 00632873-0000

ONTARIO
SUPERIOR COURT OF JUSTICE
Proceedings commenced at TORONTO

ORDER

IRA E. BOOK (14092 M)
Barrister & Solicitor
200 – 85 Scarsdale Road
Toronto, Ontario
M3B 2R2

Tel: (416) 447-2665
Fax: (416) 447-0066
Email: ira@irabook.com

Lawyer for the Plaintiff
PINYI LI

YI HE and MOR GROUP INVESTMENT INC.
PLAINTIFFS

- and -

PINYI LI and IRA E. BOOK et al.
DEFENDANTS

Court File No.: CV-21-00672289-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

**PAYNE LAW PROFESSIONAL
CORPORATION**

Barristers & Solicitors
15 Gervais Drive, Suite 605A
Toronto, Ontario M3C 1Y8

Yan David Payne, C.S. LSO No.: 48587N
Joe Wahba LSO No.: 73089V

Tel: (416) 447-4529

Fax: (416) 447-7529

Email: joe.paynelaw@gmail.com

Lawyers for the Plaintiffs/Moving Parties