

Case Name:

2011791 Ontario Ltd. (c.o.b. Triple M Demolition) (Re)

**IN THE MATTER OF the Bankruptcy of 2011791 Ontario Ltd. O/A
Triple M Demolition of the City of Brantford, in the Province
of Ontario**

[2010] O.J. No. 2339

Bankruptcy Court File No. 32-158012

Estate No. 32-158012

Ontario Superior Court of Justice
In Bankruptcy and Insolvency

D.R. Cameron J.

May 25, 2010.

(1 para.)

Counsel:

Demetrios Yiokaris for L.I.U.N.A. LOCAL 183.

Mark Mancini for KPMG, the Trustee of 2011791 Ontario Ltd. o/a Triple M Demolition.

Martin R. Kaplan for Graham Construction.

1 D.R. CAMERON J.:-- Order to issue directing customers to pay KPMG directly, establishing a claim process for Construction Lien and Trust Claims asserted by sub-trades, approving 1st report [of the trustee] and directing that the amounts owed by the bankrupt employer with respect to amounts withheld or payments made by it to the third party unions for the various benefits and remittances totalling \$34,756.94 for the benefit of the employees are to receive super priority status under s. 81.3 and s. 136(1)(d) of the BIA. This specifically includes those amounts listed as

"Employee Withhold" and "Employer Contributed" in the chart provided by the trustee. The Decision of Ted LeRoy, [2010] B.C.J. No. 821 (B.C.C.A) and the interpretation of compensation under Canadian Display, [1968] O.J. No. 696 are to be followed. All as more particularly described in the orders.

D.R. CAMERON J.

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