

IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF EDMONTON

IN THE MATTER OF the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, AS AMENDED, and

IN THE MATTER OF the *Companies' Creditors' Arrangement Act*, R.S.C. 1985, c. C-36, AS AMENDED (the "CCAA")

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF COW HARBOUR CONSTRUCTION LTD. (the "Company")

BEFORE THE HONOURABLE	)	
MR. JUSTICE	)	ON FRIDAY, THE 30TH DAY
K.D. YAMAUCHI	)	OF APRIL, 2010
THE LAW COURTS,	)	
EDMONTON, ALBERTA	)	

**ORDER**

UPON THE APPLICATION of Wajax Industries (the "Applicant") ("Wajax"); AND UPON being informed that equipment described as an Hitachi EX1200 Excavator (the "Equipment") was partially repaired by Wajax prior to the Initial Order and partially repaired subsequent to the Initial Order and remains in the possession of Wajax; AND UPON being informed that Cow Harbour Construction Ltd. ("Cow Harbour") states that the Equipment is critical to its continued operations; AND UPON hearing counsel for Wajax; IT IS HEREBY ORDERED AND ADJUDGED THAT:

1. Cow Harbour be and is hereby authorized to pay Wajax for the cost of repairs of the Equipment regardless of whether such repairs and materials were supplied before or after the date of the Initial Order.
2. Upon payment to Wajax for the repairs to the Equipment, as provided for herein, any lien including any Garagemen's or Possessory Lien of Wajax on

the Equipment for the repairs shall be deemed to be satisfied and thereby terminated.



JUSTICE IN CHAMBERS

ENTERED THIS 3 day of  
May, 2010

  
CLERK OF THE COURT



ACTION NO: 1003 05560  
BANKRUPTCY ACTION NO: 24-115359

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**ORDER**

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