



**ONTARIO
SUPERIOR COURT OF JUSTICE – COMMERCIAL LIST**

THE HONOURABLE MR.) WEDNESDAY, THE 31ST DAY
JUSTICE MARROCCO)
) OF AUGUST, 2011.
)

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF BARZEL INDUSTRIES CANADA INC.

Applicant

**ORDER
(Stay Extension and Partial Distribution)**

THIS MOTION, made by the Applicant for an order extending the Stay Period as defined in paragraph 15 of the Order of this Court made in these proceedings on September 15, 2009 (the "**Initial Order**"), approving the activities of Deloitte & Touche Inc., in its capacity as the monitor appointed by this Court in these proceedings (the "**Monitor**") as set out in the Twelfth Report of the Monitor dated August 26, 2011 (the "**Report**"), approving the fees and disbursements of the Monitor and its counsel as set out in the Report, and authorizing and directing the Monitor to forthwith distribute to The Bank of New York Mellon, as indenture trustee relating to certain secured notes in favour of J.P. Morgan Securities LLC and CIBC World Markets Corp. (collectively, the "**Secured Lenders**"), the amount of \$300,000 (the "**Disbursement**"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Report and on hearing the submissions of counsel for the Applicant, the Monitor, and the Secured Lenders, no one appearing for any other person on the service list, although properly served as appears from the Affidavits of Service filed:

1. THIS COURT ORDERS that the time for service of the Notice of Motion, the Report and the Motion Record is hereby validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. THIS COURT ORDERS that the Stay Period, as defined in paragraph 15 of the Initial Order, be and is hereby extended to and including December 21, 2011.
3. THIS COURT ORDERS that the activities of the Monitor as set out in the Report be and are hereby approved.
4. THIS COURT ORDERS that the fees and disbursements of the Monitor and its counsel as set out in the Report be and are hereby approved.
5. THIS COURT ORDERS that the Monitor be and is hereby authorized and directed to make a disbursement in the amount of \$300,000 as soon as practicable after the date of this Order to The Bank of New York Mellon, as indenture trustee relating to certain secured notes in favour of the Secured Lenders.
6. THIS COURT ORDERS AND DECLARES that nothing in this Order shall constitute or be deemed to constitute the Monitor as a receiver, assignee, liquidator, administrator, receiver-manager, agent of the creditors or legal representative of the Applicant within the meaning of any relevant legislation and that any distribution ultimately made to any creditor of the Applicant by the Monitor will be deemed to have been made by the Applicant itself.
7. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States, to give effect to this Order and to assist the Applicant, the Monitor and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Applicant and to the Monitor, as an officer of this Court, as may be necessary or desirable to give effect to this Order, to grant representative status to the Monitor in any foreign proceeding, or to assist the Applicant and the Monitor and their respective agents in carrying out the terms of this Order.

8. THIS COURT ORDERS that each of the Applicant and the Monitor be at liberty and is hereby authorized and empowered to apply to any court, tribunal, regulatory or administrative body, wherever located, for the recognition of this Order and for assistance in carrying out the terms of this Order.

Mawer J

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:
AUG 3 0 2011

PER/PAR: MB

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,
R.S.C. 1985, c. C-36, AS AMENDED
AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
BARZEL INDUSTRIES CANADA INC.

Court File No. 09-8363-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE – COMMERCIAL LIST**

Proceeding Commenced at Toronto

**ORDER
(Stay Extension and Partial Distribution)**

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