

and

May 31, 2010

See endorsement on the accompanying
membership. In addition, in this
membership, the applicant ^{has} ~~was~~ ^{authorized a foreclosure.} ~~was~~ ^{authorized} ~~to~~ ^{to}
approximately \$4.2 million + consent
to the relief requested including
the request for approval of the fees
of the receiver + its legal counsel.
I am satisfied that the requested
relief is reasonable + should be
granted.

As Ppall, J.

Addendum - Propco has provided the receiver
with an indemnity for its fees + there
is a shortfall in the estate with respect to
the receiver's fees. In the circumstances,
given the shortfall + the anticipated
costs associated with pursuing the
GST refunds including preparation of
financial statements, I authorized the
order requested.

As Ppall, J.

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
Proceedings commenced at TORONTO

MOTION RECORD

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Lawyers for the Receiver

May 31/10

Court File No.: 02-CL-4407

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

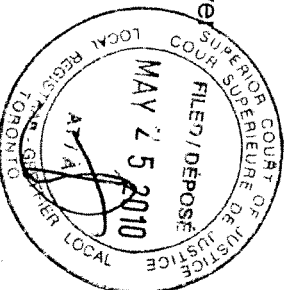
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The Receiver seeks a variety of relief including payment of fees + a discharge. It also seeks the approval of the assignment of certain receivables to the applicant. The applicants continue to be owed approximately \$27 million + the court has already accepted the fact that it holds first ranking valid security. It consents to all of the relief requested. I am satisfied that the fees are reasonable + reflect work done by the Receiver + its legal counsel + that - the circumstances, the assignment is appropriate. The rest of the requested relief is also granted.

J. P. [Signature]