

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

**THE HONOURABLE MADAM) MONDAY, THE 31ST DAY
JUSTICE PEPALL) OF MAY, 2010**

BETWEEN:

I. F. PROPCO HOLDINGS (ONTARIO) 23 LTD.

Applicant

- and -

AFM HOSPITALITY CORPORATION

Respondent

ORDER



THIS MOTION, made by Mintz & Partners Limited in its capacity as Interim Receiver and Receiver and Manager (the “**Receiver**”) of all of the assets, undertakings and properties of AFM Hospitality Corporation (“**AFM**”) appointed pursuant to the Order of this Court dated April 29, 2005, for certain relief as described in the Notice of Motion was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Fifth Report of the Receiver dated May 14, 2010 and the Supplement to the Fifth Report dated May 21, 2010 (collectively, the “**Reports**”), the Affidavit of Daniel Weisz sworn May 12, 2010 and the Affidavit of Mark Klar sworn May 14, 2010 (collectively, the “**Fee Affidavits**”), and on hearing the submissions by counsel for the Receiver, and on consent of the Applicant,

1. **THIS COURT ORDERS** that the Receiver's activities as described in the Reports are hereby approved.

2. **THIS COURT ORDERS** that the fees and disbursements of the Receiver and its legal counsel, as described in the Reports and the Fee Affidavits, are hereby approved.

3. **THIS COURT ORDERS** that the Receiver is hereby discharged as Receiver, provided however that notwithstanding its discharge herein, (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of Mintz & Partners Limited in its capacity as Receiver.



Tara Stead
Registrar, Superior Court of Justice

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NQ.:

JUN 0 1 2010

PER / PAR:



I.F. PROPCO HOLDINGS (ONTARIO) 23 LTD.
Applicant

AFM HOSPITALITY CORPORATION
Respondent

and

Court File No.: 05-CL-5878

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at TORONTO

ORDER

CHAITONS LLP
Barristers and Solicitors
5000 Yonge Street, 10th Floor
Toronto, ON M2N 7E9

George Benchetrit
LSUC Registration No. 34163H
Tel: (416) 218-1129
Fax: (416) 218-1849

Lawyers for the Receiver