

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MR.) FRIDAY, THE 15th DAY
)
JUSTICE WILTON-SIEGEL) OF MAY, 2009

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



IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
KOREX DON VALLEY ULC

APPLICANT

ORDER

THIS MOTION, made by Ira Smith Trustee & Receiver Inc. in its capacity as the Court-appointed monitor (the "**Monitor**") of Korex Don Valley ULC (the "**Applicant**") pursuant to the Order of the Honourable Mr. Justice Cumming dated February 6, 2009 (the "**Initial Order**"), was heard on Friday, the 15th day of May, 2009, at 330 University Avenue, Toronto, Ontario.

ON READING the Third Report of the Monitor dated April 27, 2009, the Fourth Report of the Monitor dated April 29, 2009 and the Fifth Report of the Monitor dated May 11, 2009, the affidavits of the Monitor and its counsel as to fees, and on hearing the submissions of counsel for the Monitor, UL Canada Inc., Comerica Bank and the Applicant, no one else appearing although served as evidenced by the Affidavit of Service of Christine Doyle, sworn May 11, 2009, filed;

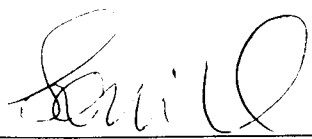
1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and Motion Record be and is hereby abridged such that the motion is properly returnable today, and, further, that any requirement for service of the Notice of Motion and the Motion Record upon any interested party, other than the parties herein mentioned, is hereby dispensed with.

2. **THIS COURT ORDERS** that the activities of the Monitor in these proceedings, including, without limitation, as set out in the Monitor's Third Report to Court dated April 27, 2009, the Monitor's Fourth Report to Court dated April 29, 2009 and the Monitor's Fifth Report to Court dated May 11, 2009 (collectively, the "**Reports**"), and the Reports themselves, be and are hereby approved.

3. **THIS COURT ORDERS** that the fees and disbursements of the Monitor in respect of the period from March 21, 2009 to April 30, 2009 in the amount of \$93,015.88 are hereby approved and allowed.

4. **THIS COURT ORDERS** that the fees and disbursements of counsel to the Monitor, Aird & Berlis LLP, in respect to the period from March 17, 2009 to April 30, 2009, in the amount of \$32,661.46, be and are hereby approved ~~and allowed.~~

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ENTERED AT / INSCRIT A TORONTO
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JUN 04 2009

PER / PAR:

IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF KOREX DON VALLEY ULC

APPLICANT

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

PROCEEDINGS COMMENCED AT TORONTO

ORDER

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