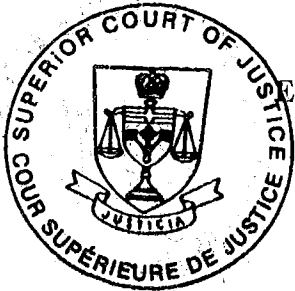


**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE MADAM)
)
JUSTICE PEPALL) MONDAY, THE 22nd DAY
) OF JUNE, 2009



ED MIRVISH ENTERPRISES LIMITED AND 1 KING WEST INC.

Applicants

- and -

**STINSON HOSPITALITY INC., DOMINION CLUB OF CANADA CORPORATION
AND HARRY STINSON**

Respondents

SUPPLEMENTARY CLAIMS PROCESS ORDER

THIS MOTION, made by Ira Smith Trustee & Receiver Inc. (“**ISI**”), in its capacity as court-appointed receiver and manager (the “**Receiver**”) of all of the assets, undertakings and properties of Stinson Hospitality Inc., Dominion Club of Canada Corporation, The Suites at 1 King West Inc. (the “**Suites**”) and 2076564 Ontario Inc. (collectively, the “**Debtors**”), for an Order substantially in the form attached as Schedule “A” to the Receiver’s Notice of Motion at Tab 1 of the Receiver’s Motion Record (the “**Receiver’s Motion Record**”) herein was heard today at 330 University Avenue, Toronto, Ontario.

ON READING the Twelfth Report of the Receiver dated June 16, 2009, filed, and upon hearing the submissions of counsel for the Receiver, Harry Stinson appearing, in person, and no

one appearing for the other parties served with the Receiver's Motion Record, although duly served as appears from the affidavit of service of Hannah Arthurs sworn June 16, 2009:

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Motion Record be and is hereby abridged, that the Motion is properly returnable today, that the service of the Motion Record, including the manner of service, is hereby approved and that any requirement for service of the Motion Record upon any party, other than those served, is hereby dispensed with.

DEFINITIONS

2. **THIS COURT ORDERS AND DECLARES** that all capitalized terms not otherwise defined herein shall have the same meanings as ascribed in the Order of this Honourable Court dated December 11, 2008 (the "**Claims Process Order**").

CLAIMS RESOLUTION PROCESS

3. **THIS COURT ORDERS** that the following provisions shall apply to each Proof of Claim delivered to the Receiver pursuant to the Claims Process Order which contains a claim against the Suites (each a "**Suites Claim**"), unless this Court orders otherwise:
 - (a) the Receiver shall review each Suites Claim and shall either allow, partially allow or disallow each Suites Claim by sending a Notice of Determination, substantially in the form attached hereto as Schedule "A", by no later than Wednesday, June 24, 2009, to the applicable Creditor (or its counsel);

- (b) a Creditor that wishes to appeal a decision of the Receiver made pursuant to paragraph 3(a) may appeal such decision to this Court by serving a notice of appeal on the Receiver and filing it with this Court no later than July 14, 2009, with any such appeal being returnable on August 17, 2009 at 10:00 a.m., or as soon thereafter as it can be heard. Any such appeal shall be heard by this Court as a hearing *de novo* with such further rights of appeal as may be provided for under the laws of Ontario;
- (c) if no notice of appeal is received by the Receiver on or before July 14, 2009 in respect of any Notice of Determination delivered by the Receiver hereunder, then the Receiver's Notice of Determination shall be final and binding and there shall be no further right to appeal, review or recourse to this Court or any other court or tribunal in respect of the Receiver's Notice of Determination; and
- (d) at any time, the Receiver and the applicable Creditor may agree to settle any disputed Claim.

(the "Supplementary Claims Process")

SERVICE AND NOTICE

- 4. **THIS COURT ORDERS** that the Receiver is at liberty to deliver this Order, the Notices of Determination and any other letters, notices or other documents to Creditors and other interested Persons, by forwarding true copies thereof by prepaid ordinary mail, courier, personal delivery or electronic transmission to such Persons at the address as last shown on the records of the Debtors and that any such service or notice by courier, personal

delivery or electronic transmission shall be deemed to be received on the day it was faxed, emailed or personally delivered, or, if sent by ordinary mail, on the next Business Day after mailing.

5. **THIS COURT ORDERS** that any notice or other communication (including, without limitation, Notices of Appeal) to be given under this Order by a Creditor to the Receiver shall be in writing in substantially the form, if any, provided for in this Order and will be sufficiently given only if given by courier, by personal delivery or facsimile transmission addressed to:

Ira Smith Trustee & Receiver Inc.
Suite 6 - 167 Applewood Crescent
Concord, Ontario L4K 4K7

Fax Number: 905.738.9848

Attention: Ira Smith

Any such notice or other communication by a Creditor shall be deemed received only upon actual receipt thereof during normal business hours on a Business Day.

MISCELLANEOUS

6. **THIS COURT ORDERS AND REQUESTS** the aid and recognition of any court of any judicial, regulatory or administrative body in any province or territory of Canada and the Federal Court of Canada and any judicial, regulatory or administrative tribunal or other court constituted pursuant to the Parliament of Canada or the legislature of any province and any court of any judicial, regulatory or administrative body of the United States and

the states or other subdivisions of the United States and of any other nation or state to act
in aid of and to be complementary to this Court in carrying out the terms of this Order.

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

JUN 23 2009

PER / PAR:

A handwritten signature in black ink, appearing to be the initials 'JF'.A handwritten signature in black ink, appearing to be 'J. J. Repall'.

SCHEDULE "A"

NOTICE OF DETERMINATION REGARDING CLAIMS AGAINST:

The Suites at 1 King West Inc. (the "Suites")

All capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Order of the Ontario Superior Court of Justice dated December 11, 2008 (the "Claims Process Order") and the Order of the Ontario Superior Court of Justice dated June 22, 2009 (the "Supplementary Claims Process Order") authorizing the within Supplementary Claims Process.

TO: [insert name of creditor]

The Receiver hereby gives you notice that it has reviewed your Claim and has accepted, revised or rejected your Claim as follows:

The Claim as Submitted	The Claim as Accepted

Reasons for Disallowance or Revision:

[insert explanation]

If you do not agree with this Notice of Determination, please take notice of the following:

If you dispute this Notice of Determination, you may appeal such decision to the Court by sending a written notice of appeal to the Receiver and filing a copy of the Notice of Appeal with the Court at the addresses listed below on or before July 14, 2009, in which case such Claim shall be treated as if the Claim had been entirely disallowed by the Receiver. If you do not appeal to the Claims Officer within the aforesaid time period, your Claim shall be deemed to be as set out in this Notice of Determination.

Pursuant to the terms of the Claims Process Order, the Receiver conducted the Claims Process. As a result of the Claims Process, the Receiver received approximately 45 Proofs of Claim filed against the Suites, totalling approximately \$2.4 million in unsecured claims. There is approximately \$142,000.00 available to be distributed to creditors who have filed valid Proofs of Claims against the Suites as determined pursuant the Supplementary Claims Process Order, which amount will also be used to pay the fees and disbursements of the Receiver and its counsel

incurred in connection with the Receiver's administration of the Supplementary Claims Process, including any appeals.

The Receiver:

Ira Smith Trustee & Receiver Inc.
Suite 6 - 167 Applewood Crescent
Concord, Ontario L4K 4K7

Attention: Ira Smith

Ontario Superior of Justice
Commercial List
330 University Avenue
7th Floor
Toronto, Ontario M5G 1E3

IF YOU FAIL TO TAKE ACTION WITHIN THE PRESCRIBED TIME PERIOD, THIS NOTICE OF DETERMINATION WILL BE BINDING UPON YOU.

Dated at _____ this _____ day of _____, 2009.

Ira Smith Trustee & Receiver Inc.

ED MIRVISH ENTERPRISES
LIMITED AND 1 KING WEST INC.

Applicants

STINSON HOSPITALITY INC., DOMINION
CLUB OF CANADA CORPORATION AND
HARRY STINSON

Respondents

Court File No: 07-CL-6913

ONTARIO

SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

SUPPLEMENTARY CLAIMS PROCESS ORDER

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Counsel to Ira Smith Trustee & Receiver Inc., in its
capacity as receiver and manager and former monitor
of Stinson Hospitality Inc., Dominion Club of Canada
Corporation, The Suites at 1 King West Inc. and
2076564 Ontario Inc.