

ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST

THE HONOURABLE MR. ) MONDAY, THE 8<sup>th</sup> DAY  
JUSTICE CAMPBELL ) OF NOVEMBER, 2010

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 IN THE MATTER OF  
HOLLINGER CANADIAN PUBLISHING HOLDINGS CO.

ORDER

**THIS MOTION**, made by Hollinger Canadian Publishing Holdings Co. (the "**Applicant**" or "**HCPH**"), for an Order for direction relating to the Retiree Audit Survey Process and the Personal Information Statements (as such terms are defined in the Order this Court made on April 15, 2010), was heard this day at 330 University Avenue, Toronto, Ontario.

**UPON READING** the Notice of Motion, the affidavit of Dennis M. Byrd sworn November 3, 2010, the Fifth Report of the Monitor dated November 5, 2010 (the "**Monitor's Fifth Report**") and upon hearing the submissions of counsel for the Applicant, the Monitor and Representative Counsel,

**Service**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record of the Applicant be and it is hereby abridged and that the motion is properly returnable today and further that service thereof upon any interested party other than those served is hereby dispensed with.

## **Interpretation**

2. **THIS COURT ORDERS** that capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the earlier Orders of this Court in the within proceedings, unless otherwise indicated.

## **Approval of Activities**

3. **THIS COURT ORDERS** that the Monitor's Fifth Report and all of the activities described therein are hereby approved in their entirety and all of the activities of the Chief Restructuring Officer, described in the affidavit of Dennis M. Byrd sworn November 3, 2010, are hereby approved in their entirety.

## **Final Personal Information Statements**

4. **THIS COURT ORDERS** that HCPH, the Monitor, Representative Counsel and their respective counsel, advisors, officers, directors, employees, partners and agents are hereby authorized to utilize and rely upon Personal Information Statements that have been delivered, supplemented or updated to November 12, 2010, which have been signed and substantially completed (with the exception of the items described in paragraphs 21 to 26 of the Fifth Monitor's Report) and for which supporting documentation as required by the Personal Information Statements (with the exception of the items described in paragraphs 27 to 28 of the Fifth Monitor's Report) has been provided (collectively the "**Final Personal Information Statements**"), without any further requirement to complete, verify, confirm or update the information contained therein or request or require any further supporting documentation in respect thereof.

5. **THIS COURT ORDERS** that, with the exception of the information described in paragraphs 27 to 28 of the Fifth Monitor's Report, where any of the information that has been provided by or on behalf of any Plan Member in a Final Personal Information Statement is inconsistent with the records of HCPH and that has not been verified or confirmed by supporting documentation or otherwise to the satisfaction of HCPH and the Monitor in consultation with Representative Counsel, the information contained in the records of HCPH shall be deemed to be correct and the inconsistent information set out in such Plan Member's Personal Information

Statement (with the exception of the information described in paragraphs 27 to 28 of the Fifth Monitor's Report) shall be disregarded and shall be deemed not to be included in such Plan Member's Final Personal Information Statement.

6. **THIS COURT ORDERS AND DECLARES** that the Final Personal Information Statements and supporting documentation and/or information and data derived therefrom and information otherwise contained in the records of HCPH in respect of the Plans and the Plan Members may be provided to and relied upon by actuaries and other Third Party Service Providers retained by HCPH for the purposes of determining liabilities in connection with the Plans and other purposes in connection with these proceedings, provided that nothing herein shall obligate HCPH, the Monitor or Representative Counsel to provide the Final Personal Information Statements or any information or data derived therefrom or any information otherwise contained in the records of HCPH to any person, and further provided that nothing herein shall prevent HCPH, the Monitor and Representative Counsel from updating and supplementing the Final Personal Information Statements and the information and data derived therefrom or any other information otherwise contained in the records of HCPH based upon any new information or documents that may be received by HCPH, the Monitor or Representative Counsel after November 12, 2010, if deemed necessary or advisable by HCPH and the Monitor in consultation with Representative Counsel.

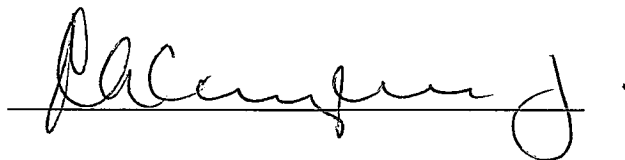
7. **THIS COURT ORDERS AND DECLARES** that HCPH, the Monitor, Representative Counsel, the Third Party Service Providers and their respective counsel, advisors, officers, directors, employees, partners and agents shall have no liability in connection with, relating to or as a result of the use of and reliance upon the Final Personal Information Statements and the information and data derived therefrom or information otherwise contained in the records of HCPH in accordance with this Order and other Orders of this Court, whether made prior to or after the date hereof.

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**IN THE MATTER OF THE COMPANIES CREDITORS' ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED AND  
IN THE MATTER OF HOLLINGER CANADIAN PUBLISHING HOLDINGS CO.**

Court File No. 09-8503-00CL

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

Proceedings commenced in Toronto

**ORDER**

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