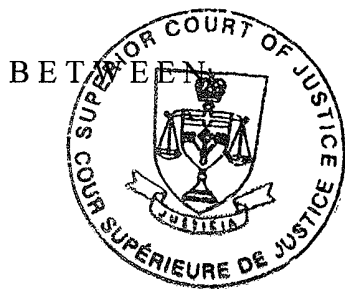


**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

THE HONOURABLE) FRIDAY, THE 25TH DAY
MR. JUSTICE PATTILLO) OF MAY, 2012



BANK OF MONTREAL

Applicant

and

**2110458 ONTARIO LIMITED, 2131413 ONTARIO LIMITED,
787755 ONTARIO LIMITED and TARBRAC HOLDINGS INC.**

Respondents

**APPLICATION UNDER SUBSECTION 47(1) OF THE *BANKRUPTCY AND
INSOLVENCY ACT*, R.S.C. 1985, c. B-3, as amended, and SECTION 101 of the
COURTS OF JUSTICE ACT, R.S.O. 1990, c. C. 43, as amended**

DISCHARGE ORDER

THIS MOTION, made by Ernst & Young Inc. ("EYI"), in its capacity as interim receiver (the "**Interim Receiver**"), of all of the assets, undertakings and properties of 2110458 Ontario Limited, 2131413 Ontario Limited, 787755 Ontario Limited and Tarbrac Holdings Inc. (collectively, the "**Debtors**") was heard this day at 330 University Ave, Toronto, Ontario.

ON READING the Notice of Motion dated 18 May 2012, the Motion Record, the Second Report of the Interim Receiver dated 18 May 2012 (the "**Second IR Report**"), and on

hearing the submissions of counsel for the Interim Receiver and such other counsel as were present, and on reading the Affidavit of Service of Mary Arzoumanidis, sworn on 22 May 2012, filed;

1. **THIS COURT ORDERS** that the time for service and filing of the Notice of Motion and the Motion Record in respect hereof be and is hereby abridged and validated so that the motion is properly returnable today and that further service on any interested party is hereby dispensed with.

2. **THIS COURT ORDERS** that the First Report of the Interim Receiver dated 25 November 2010, the Second IR Report, and the activities of the Interim Receiver as set out therein, are hereby approved.

3. **THIS COURT ORDERS** that the fees and disbursements of the Interim Receiver and its counsel, as set out in the Second IR Report, are hereby approved.

4. **THIS COURT ORDERS** that the Interim Receiver shall be discharged as Interim Receiver of the undertaking, property and assets of the Debtors, provided however that notwithstanding its discharge herein the Interim 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 EYI in its capacity as Interim Receiver.

5. **THIS COURT ORDERS AND DECLARES** that EYI is hereby released and discharged from any and all liability that EYI now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of EYI while acting in its capacity as Interim Receiver herein, save and except for any gross negligence or wilful misconduct on the Interim Receiver's part. Without limiting the generality of the foregoing, EYI is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within interim receivership proceedings, save and except for any gross negligence or wilful misconduct on the Interim Receiver's part.

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



MAY 25 2012


A. Anissimova
Registrar

BANK OF MONTREAL

- and - 2110458 ONTARIO LIMITED, 2121413 ONTARIO LIMITED, 787755
ONTARIO LIMITED and TARBRAC HOLDINGS INC.

Applicant

Respondents

APPLICATION UNDER SUBSECTION 47(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, c. B-3, as amended, and SECTION 101 OF THE
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ONTARIO

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

PROCEEDINGS COMMENCED AT TORONTO

DISCHARGE ORDER

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Lawyers for Ernst & Young Inc., in its capacity as Interim
Receiver of 2110458 Ontario Limited, 2131413 Ontario
Limited, 787755 Ontario Limited
and Tarbrac Holdings Inc.

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