



Court File No. CV-10-8991-00CL

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

THE HONOURABLE) **THURSDAY, THE 21ST DAY**
)
MR. JUSTICE PERELL) **OF JULY, 2011**

**IN THE MATTER OF THE RECEIVERSHIP OF 2110458 ONTARIO
LIMITED o/a LORETTA FLOUR, 2131413 ONTARIO LIMITED o/a
LORETTA FOODS, 787755 ONTARIO LIMITED o/a NEW DURHAM
TRADING, and o/a NDT FOOD SERVICE and o/a SKYWAY
WHOLESALE and TARBRAC HOLDINGS INC.**

**IN THE MATTER OF SECTION 243(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**

ORDER

THIS MOTION, made by Ernst & Young Inc., in its capacity as receiver and receiver and manager (in such capacities, the “**Receiver**”) without security, of all of the assets, undertakings and properties of 2110458 Ontario Limited o/a Loretta Flour (“**211**”), 2131413 Ontario Limited o/a Loretta Foods (“**213**”), 787755 Ontario Limited o/a New Durham Trading, NDT Food Service and Skyway Wholesale (“**787**”) and Tarbrac Holdings Inc. (“**Tarbrac**”, and, together with 211, 213 and 787, the “**Debtors**”) was heard this day at 130 Queen Street West, Toronto, Ontario.

ON READING the Notice of Motion dated 14 July 2011, the Motion Record and the Fourth Report of the Receiver dated 14 July 2011 (the “Fourth Report”), and on hearing the submissions of counsel for the Receiver and such other counsel as were present, and on reading the Affidavit of Service of Harriet Greenwood, sworn on 14 July 2011;

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 so that the motion is returnable today and that further service on any interested party is hereby dispensed with.

2. **THIS COURT ORDERS** that the Receiver's authorized borrowing limit in the amount of \$500,000 as set forth in paragraph 25 of the Order of The Honourable Mr. Justice Wilton-Siegel dated 26 November 2010 (the "Receivership Order") is hereby increased to the amount of \$1,950,000.

3. **THIS COURT ORDERS** that any amounts borrowed by the Receiver pursuant to paragraph 25 of the Receivership Order shall be applied; first, towards the payment of the Receiver's Charge (as defined in the Receivership Order); second, towards the payment of the costs incurred to fund the administration of the receivership proceedings herein as set out in the Fourth Report; and third, towards the payment of the Receiver's Borrowing Charge (as defined in the Receivership Order).

4. **THIS COURT ORDERS** that the activities of the Receiver, as described in the Fourth Report, be and are hereby approved.

Penel. J.

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

JUL 22 2011

PER/PAR: 

IN THE MATTER OF THE RECEIVERSHIP OF 2110458 ONTARIO LIMITED o/a LORETTA FLOUR, 2131413 ONTARIO LIMITED o/a LORETTA FOODS, 787755 ONTARIO LIMITED o/a NEW DURHAM TRADING, and o/a NDT FOOD SERVICE and o/a SKYWAY WHOLESALE and TARBRAC HOLDINGS INC.

IN THE MATTER OF SECTION 243 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

ONTARIO

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PROCEEDINGS COMMENCED AT TORONTO

ORDER

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2131413 Ontario Limited o/a Loretta Foods, 787755
Ontario Limited o/a New Durham Trading, and o/a NDT
Food Service and o/a Skyway Wholesale and Tarbrac

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