



Office of the Superintendent
of Bankruptcy Canada

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Un organisme
d'Industrie Canada

District of NEW BRUNSWICK
Division No. 3 - Bathurst
Court No. 16275
Estate No. 51-1351388

AMENDED

In the Matter of the Bankruptcy of

ATCON CONSTRUCTION INC.
Bankrupt

ERNST & YOUNG INC.
Trustee

ORDINARY ADMINISTRATION

Date of Bankruptcy:	April 26, 2010	Security: Nil
Date of Initial Bankruptcy Event:	April 26, 2010	
Meeting of Creditors:	May 14, 2010 at 09:30 AM Park Inn & Suites on the River 1 Jane St. Miramichi, New Brunswick	

Chairman: To be determined Corporate Officer: Robert Tozer

CERTIFICATE OF APPOINTMENT

I, Francys Hunter, Official Receiver in and for this bankruptcy district, do hereby certify:

THAT Ernst & Young Inc., Receiver of Atcon Construction Inc., filed an assignment in bankruptcy under section 49 of the *Bankruptcy and Insolvency Act* of Atcon Construction Inc., by virtue of an Order of the New Brunswick Court of Queen's Bench dated April 23, 2010, authorizing and directing the Receiver to make an assignment in bankruptcy in the name of and on behalf of Atcon Construction Inc.

THAT I appointed Ernst & Young Inc. as trustee of the Estate of Atcon Construction Inc. on April 26, 2010;

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THAT Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, is required to perform all duties imposed upon a bankrupt by the *Bankruptcy and Insolvency Act*;

THAT Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, is to prepare and submit to the trustee, within fifteen (15) days of the date of bankruptcy, a statement of the bankrupt's affairs in the prescribed form verified by affidavit in accordance with section 158(d) of the *Bankruptcy and Insolvency Act*;

THAT Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, is to attend the first meeting of the creditors of Atcon Logistics Inc., in accordance with section 158(h) of the *Bankruptcy and Insolvency Act*;

THAT the trustee is to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy;

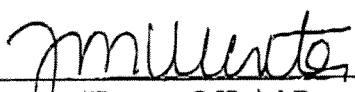
THAT the trustee is to call a first meeting of creditors, to be held at the abovementioned time and place;

THAT the trustee is to serve Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, with a copy of this Certificate of Appointment;

THAT the trustee is to serve Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, with a copy of the duties of a bankrupt and the bankruptcy offences pursuant to the *Bankruptcy and Insolvency Act*, in accordance with the Superintendent's Directive 26 issued August 14, 2009, and

THAT Robert Tozer, Corporate Officer, or such other person who has, or has had, directly or indirectly, control in fact of the corporation as specified by the Official Receiver, is to sign the aforementioned acknowledgment, in accordance with the Superintendent's Directive 26 issued August 14, 2009.

Date: April 28, 2010


Francyne Hunter, Official Receiver