

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL**

**SUPERIOR COURT
(Commercial Division)**
(sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act,
RSC 1985, c C-36, as amended)

No.: 500-11-038474-108

**IN THE MATTER OF THE PLAN OF
COMPROMISE OR ARRANGEMENT OF:**

**WHITE BIRCH PAPER HOLDING
COMPANY *ET AL.***

Debtors

-and-

**STADACONA LIMITED PARTNERSHIP *ET
AL.***

Mises-en-cause

-and-

ERNST & YOUNG INC.

Monitor

APPEARANCE

The undersigned, OSLER, HOSKIN & HARCOURT LLP, hereby appears on behalf of CREDIT
SUISSE LOAN FUNDING LLC, under all legal reserves.

Montréal, October 24, 2014.

Osler, Hoskin & Harcourt LLP

OSLER, HOSKIN & HARCOURT LLP

Attorneys for Credit Suisse Loan Funding LLC

No: 500-11-038474-108

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ERNST & YOUNG INC.**

Monitor

APPEARANCE

ORIGINAL

Mtre. Martin Desrosiers
Mtre. Julien Morissette
Osler, Hoskin & Harcourt LLP
1000 De La Gauchetière Street West, Suite 2100
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Tel: 514.904.8100 Fax: 514.904.8101

Code : BO 0323 o/f: 1160937

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CREDIT SUISSE LOAN FUNDING LLC

Petitioner

MOTION FOR AUTHORIZATION TO FILE A CLAIM AFTER THE CLAIMS BAR DATE (Section 11 of the <i>Companies' Creditors Arrangement Act</i>, RSC 1985, c C-36)
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TO THE HONOURABLE JUSTICE ROBERT MONGEON OF THE SUPERIOR COURT, SITTING IN COMMERCIAL DIVISION, IN THE DISTRICT OF MONTRÉAL, THE PETITIONER CREDIT SUISSE LOAN FUNDING LLC RESPECTFULLY SUBMITS AS FOLLOWS:

1. Credit Suisse Loan Funding LLC (the “**Lender**”) is a creditor of the Debtors and is a second lien term loan lender;
2. On February 24, 2010, the Debtors obtained an Initial Order pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, in the Court record;
3. One or more of the Debtors are indebted to the Lender in the amount of US\$3,677,761 (the “**Loan**”);

4. On May 6, 2010, this Honourable Court rendered an Order establishing the claims process, in the Court record (the “CPO”);
5. The CPO provided that the Claims Bar Date (as defined therein) was June 21, 2010;
6. The Lender inadvertently failed to file a claim prior the Claims Bar Date. This omission only recently came to the attention of the Lender’s personnel responsible for the Loan;
7. The Lender acted with due diligence when it became aware of the issue and is acting in good faith;
8. The Lender respectfully requests that this Honourable Court authorize it to file a claim corresponding to the Loan (the “**Claim**”) with the Monitor, notwithstanding the Claims Bar Date;
9. No creditor would suffer an undue prejudice as a result of the Claim being filed and eventually accepted by the Monitor, for the following reasons:
 - a) As of the date hereof, there has been no vote on a plan of arrangement or distribution to the creditors of the Debtors;
 - b) Relative to the overall quantum of claims, the Claim represents a small fraction. Dilution of other creditors’ claims would be minimal;
 - c) There is no uncertainty in the quantum of the Lender’s claim which could lead to inordinate costs or litigation;
10. The Lender respectfully submits it would be equitable and appropriate to grant the relief sought herein.

WHEREFORE, MAY IT PLEASE THIS HONOURABLE COURT TO:

1. **GRANT** the present *Motion for authorization to file a claim after the Claims Bar Date*;
2. **AUTHORIZE** the Petitioner to file a claim in the amount of US\$3,677,761 with the Monitor and **DECLARE** that the filing thereof shall have been validly made, notwithstanding the Claims Bar Date (as defined in the order rendered by the Court on May 6, 2010);
3. **THE WHOLE** without costs, save in the case of contestation.

Montréal, October 24, 2014.

Osler, Hoskin & Harcourt LLP

OSLER, HOSKIN & HARCOURT LLP

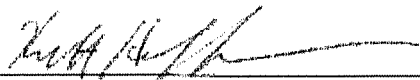
Attorneys for Credit Suisse Loan Funding LLC

AFFIDAVIT

I the undersigned, **KENNETH HOFFMAN**, domiciled at Eleven Madison Avenue, New York, New York, USA, 100100, solemnly declare the following:

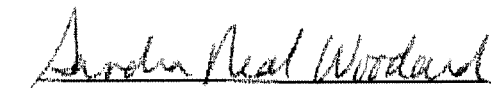
1. I am a Managing Director of Credit Suisse Loan Funding, LLC and duly authorized representative of the Petitioner for the purpose hereof;
2. I have taken cognizance of the attached *Motion for authorization to file a claim after the Claims Bar Date*;
3. All of the facts alleged in the said motion are true.

AND I HAVE SIGNED:



KENNETH HOFFMAN

SOLEMNLY DECLARED BEFORE ME
AT *New York, NY* ON THIS
24th DAY OF OCTOBER 2014.



NOTARY PUBLIC

SANDRA NEAL WOODARD
Notary Public, State of New York
No. 01WO4721913
Qualified in Richmond County
Commission Expires July 31, 2018

ATTESTATION OF AUTHENTICITY
(Article 82.1 of the *Code of Civil Procedure*, R.S.Q. c. C-25)

I, the undersigned, Julien Morissette, attorney, exercising my profession at Osler, Hoskin & Harcourt LLP, situated at 1000 De La Gauchetière Street West, Suite 2100, Montréal, Québec, solemnly declare the following:

1. I am one of the attorneys of the Petitioners to the present *Motion for authorization to file a claim after the Claims Bar Date* in Court file number 500-11-038474-108;
2. On October 24th, 2014 at 3:41 p.m. (Montréal time), Osler, Hoskin & Harcourt LLP received by fax the Affidavit of Kenneth Hoffman, a duly authorized representative of the Petitioner, dated the same day;
3. The copy of the Affidavit attached hereto is a true copy of the Affidavit of Kenneth Hoffman received by fax from Sandra Neal Woodard from the city of New York, from fax number 404.892.6800;
4. All of the facts alleged herein are true.

AND I HAVE SIGNED:



Julien Morissette

SOLEMNLY DECLARED BEFORE ME
IN MONTRÉAL, QUÉBEC
ON THE 27th DAY OF OCTOBER 2014.


COMMISSIONER OF OATHS
FOR THE PROVINCE OF QUÉBEC

NOTICE OF PRESENTATION

TO: SERVICE LIST

TAKE NOTICE that the *Motion for authorization to file a claim after the Claims Bar Date* will be presented in the Superior Court, Commercial Division, at the Montréal Courthouse, 1 Notre-Dame Street East, Montréal, on a date to be determined by the Court and in a room to be announced.

Montréal, October 24, 2014.

Osler, Hoskin & Harcourt LLP

OSLER, HOSKIN & HARCOURT LLP

Attorneys for Credit Suisse Loan Funding LLC

No: 500-11-038474-108

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AFFIDAVIT, ATTESTATION OF AUTHENTICITY,
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