

**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-

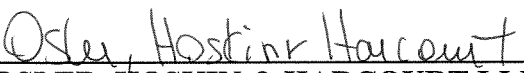
ERNST & YOUNG INC.

Monitor

APPEARANCE

The undersigned, OSLER, HOSKIN & HARCOURT LLP, hereby appears on behalf of AVENUE INVESTMENTS LP, under all legal reserves.

Montréal, October 27, 2014.


OSLER, HOSKIN & HARCOURT LLP
Attorneys for Avenue Investments LP

No: 500-11-038474-108

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-and-
ERNST & YOUNG INC.

Monitor

APPEARANCE

ORIGINAL

Mtre. Martin Desrosiers
Mtre. Julien Morissette
Osler, Hoskin & Harcourt LLP
1000 De La Gauchetière Street West, Suite 2100
Montréal, Québec H3B 4W5
Tel: 514.904.8100 Fax: 514.904.8101

Code : BO 0323 o/f: 1160937

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AVENUE INVESTMENTS, LP

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 AVENUE INVESTMENTS, LP RESPECTFULLY SUBMITS AS FOLLOWS:

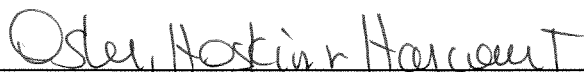
1. Avenue Investments, LP (the “**Lender**”) is a creditor of the Debtors and is a second lien term loan lender;
2. On February 24, 2010, the Debtors obtained an Initial Order pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c C-36, in the Court record;
3. One or more of the Debtors are indebted to the Lender in the amount of US\$3,152,367 (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\$3,152,367 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 27, 2014.


OSLER, HOSKIN & HARCOURT LLP
Attorneys for Avenue Investments, LP

AFFIDAVIT

Sonia Gardner 399 Park Avenue

I the undersigned, *Sonia Gardner*, domiciled at *399 Park Avenue*, solemnly declare the following:

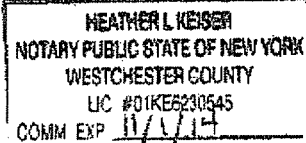
1. I am a *Member*, and duly authorized representative of the Petitioner for the purpose hereof;
2. I have taken cognizance of the attached *Motion for authorization to file a claim after the Claims Bar Date*;
3. All of the facts alleged in the said motion are true.

AND I HAVE SIGNED:

[Signature]
Sonia Gardner
Member
Avenue Investments LP

SOLEMNLY DECLARED BEFORE ME
AT *399 Park Ave, NY, NY 10022* ON THIS
27th DAY OF OCTOBER 2014.

Heather Keiser
NOTARY PUBLIC



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 Petitioner 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 27th, 2014 at 4:24 p.m. (Montréal time), Osler, Hoskin & Harcourt LLP received by fax the Affidavit of Sonia Gardner, 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 Sonia Gardner received by fax from Tricia Vazquez from the city of New York, from fax number 404.892.6800;
4. All of the facts alleged herein are true.

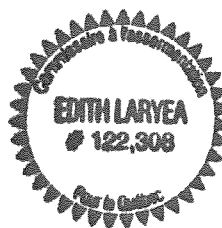
AND I HAVE SIGNED:



Julien Morissette

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


COMMISSIONER OF OATHS
FOR THE PROVINCE OF QUÉBEC

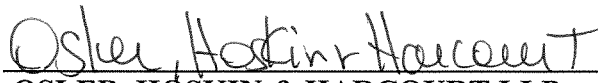


NOTICE OF PRESENTATION

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 27, 2014.

A handwritten signature in cursive script, reading "Osler, Hoskin & Harcourt", is written over a horizontal line.

OSLER, HOSKIN & HARCOURT LLP

Attorneys for Avenue Investments, LP

No: 500-11-038474-108

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