

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY**

BETWEEN:

**NILE CAPITAL I S.À.R.L., NILE CAPITAL II S.À.R.L.,
LUXOR CAPITAL PARTNERS, LP and LUXOR CAPITAL PARTNERS
OFFSHORE MASTER FUND, LP**

Plaintiffs
(Applicants)

- and -

**EARTHRENEW CORPORATION, EARTHRENEW, INC., EARTHRENEW IP HOLDINGS LLC,
EARTHRENEW STRATHMORE 1 LP, EARTHRENEW STRATHMORE GENERAL PARTNER
LTD., EARTHRENEW SOLUTIONS LP, EARTHRENEW OPERATIONAL EMPLOYEE LP,
EARTHRENEW MANAGEMENT LP and EARTHRENEW MANAGEMENT GENERAL
PARTNER LTD.**

Defendants
(Respondents)

**BRIEF OF AUTHORITIES OF NILE CAPITAL I S.À.R.L., NILE CAPITAL II S.À.R.L.,
LUXOR CAPITAL PARTNERS, LP and LUXOR CAPITAL PARTNERS
OFFSHORE MASTER FUND, LP**

October 18, 2010

AIRD & BERLIS LLP
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**Steven L. Graff
Ian E. Aversa**

Solicitors for the Plaintiffs (Applicants)

TO: Attached Service List

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LTD., EARTHRENEW SOLUTIONS LP, EARTHRENEW OPERATIONAL EMPLOYEE LP,
EARTHRENEW MANAGEMENT LP and EARTHRENEW MANAGEMENT GENERAL
PARTNER LTD.

Defendants
(Respondents)

SERVICE LIST

TO:	MacLeod Dixon LLP 3700 Canterra Tower 400 Third Avenue SW Calgary, AB T2P 4H2 Attention: Howard Gorman Phone: (403) 267-8222 Fax: (403) 264-5973 Email: Howard.Gorman@macleoddixon.com Lawyers for Earthrenew Corporation, Earthrenew, Inc., Earthrenew LP Holdings LLC, Earthrenew Strathmore 1 LP, Earthrenew Strathmore General Partner Ltd., Earthrenew Solutions LP, Earthrenew Operational Employee LP, Earthrenew Management LP and Earthrenew Management General Partner Ltd.
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AND TO:	RSM Richter Inc. Bow Valley Square 2 3810, 205 - 5 Avenue SW Calgary, AB T2P 2V7 Attention: Robert Taylor Phone: (403) 233-7112 Fax: (403) 206-0841 Email: BTaylor@RSMRichter.com Receiver of Earthrenew Corporation, Earthrenew, Inc., Earthrenew LP Holdings LLC, Earthrenew Strathmore 1 LP, Earthrenew Strathmore General Partner Ltd., Earthrenew Solutions LP, Earthrenew Operational Employee LP, Earthrenew Management LP and Earthrenew Management General Partner Ltd.
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S.À.R.L., NILE CAPITAL II S.À.R.L., LUXOR
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PARTNERS OFFSHORE MASTER FUND, LP**

CLERK OF THE COURT

OCT 14 2010

CALGARY, ALBERTA

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