

**SUPERIOR COURT**

**CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL**

**No.: 500-11-036133-094**

**DATE: October 15, 2010**

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**PRESENT: THE HONOURABLE MR. JUSTICE CLÉMENT GASCON, J.S.C.**

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

**ABITIBIBOWATER INC.**

And

**ABITIBI-CONSOLIDATED INC.**

And

**BOWATER CANADIAN HOLDINGS INC.**

And

**the other Petitioners listed on Appendices "A", "B" and "C"**

Petitioners/Respondents

And

**ERNST & YOUNG INC.**

Monitor/Petitioner

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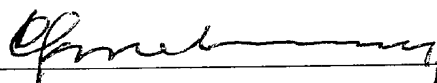
**DECLARATORY ORDER IN RESPECT OF ADDITIONAL LATE CLAIMS  
AND LATE ELECTIONS (#799)**

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- [1] **CONSIDERING** the Motion of the Monitor for a Declaratory Order in Respect of Additional Late Claims and Late Elections (the "**Motion**");
- [2] **CONSIDERING** the Sixty-Fifth Report of the Monitor dated October 7, 2010 (the "**Sixty-Fifth Report**") filed in support of the Motion;

**FOR THESE REASONS, THE COURT:**

- [3] **GRANTS** the Motion.
- [4] **EXEMPTS**, if applicable, the Monitor from having to serve this Motion and from any notice or delay of presentation.
- [5] **DECLARES** that notwithstanding the orders of this Court dated August 26, 2009, January 18, 2010 and February 23, 2010 (the "**Claims Procedure Orders**") and the claims bar dates established therein, the claims filed against the Petitioners with Ernst & Young Inc. (the "**Monitor**"), subsequent to the order of this Court dated July 21, 2010 (the "**Late Claims Order**"), that fall within the category of Additional Late Claims as defined and summarized in the Sixty-Fifth Report and which summary may be updated from time to time by the Monitor upon notice to the Service List and without further Order of this Honourable Court, shall be deemed to be timely filed with the Monitor for the purposes of the Petitioners' Claims Process.
- [6] **AUTHORIZES** the Monitor to review and determine the Additional Late Claims filed subsequent to the Late Claims Order in accordance with the Claims Procedure Orders.
- [7] **DECLARES** that notwithstanding the 5:00 pm Monday, September 13, 2010 deadline for filing elections (the "**Election Deadline**") established by the plan of compromise and arrangement prepared by the Petitioners (the "**CCAA Plan**"), elections filed or amended subsequent to the Election Deadline shall be deemed to be timely filed elections for the purposes of distributions under the CCAA Plan, so long as such elections are filed (or amended) prior to the date of the initial distribution under the CCAA Plan.
- [8] **AUTHORIZES** the Monitor to take any and all steps which the Monitor, in its sole discretion and in consultation with the Petitioners, may deem necessary in order to give effect to the above orders.
- [9] **ORDERS** the provisional execution of this Order notwithstanding any appeal and without the necessity of furnishing any security.
- [10] **THE WHOLE WITHOUT COSTS.**

  
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J.S.C.  
(CLEMENT O'LEARY, J.S.C.)

## **SCHEDULE “A”**

### **ABITIBI PETITIONERS**

1. Abitibi-Consolidated Company of Canada
2. Abitibi-Consolidated Inc.
3. 3224112 Nova Scotia Limited
4. Marketing Donohue Inc.
5. Abitibi-Consolidated Canadian Office Products Holding Inc.
6. 3834328 Canada Inc.
7. 6169678 Canada Inc.
8. 4042140 Canada Inc.
9. Donohue Recycling Inc.
10. 1508756 Ontario Inc.
11. 3217925 Nova Scotia Company
12. La Tuque Forest Products Inc.
13. Abitibi-Consolidated Nova Scotia Incorporated
14. Saguenay Forest Products Inc.
15. Terra Nova Explorations Ltd.
16. The Jonquière Pulp Company
17. The International Bridge and Terminal Company
18. Scramble Mining Ltd.
19. 9150-3383 Québec Inc.

## **SCHEDULE “B”**

### **BOWATER PETITIONERS**

1. Bowater Canada Finance Corporation
2. Bowater Canadian Limited
3. Bowater Canadian Holdings. Inc.
4. 3231378 Nova Scotia Company
5. AbitibiBowater Canada Inc.
6. Bowater Canada Treasury Corporation
7. Bowater Canadian Forest Products Inc.
8. Bowater Shelburne Corporation
9. Bowater LaHave Corporation
10. St-Maurice River Drive Company Limited
11. Bowater Treated Wood Inc.
12. Canixel Hardboard Inc.
13. 9068-9050 Québec Inc.
14. Alliance Forest Products Inc. (2001)
15. Bowater Belledune Sawmill Inc.
16. Bowater Maritimes Inc.
17. Bowater Mitis Inc.
18. Bowater Guérette Inc.
19. Bowater Couturier Inc.

## **SCHEDULE “C”**

### **18.6 PETITIONERS**

1. AbitibiBowater US Holding 1 Corp.
2. AbitibiBowater Inc.
3. Bowater Ventures Inc.
4. Bowater Incorporated
5. Bowater Nuway Inc.
6. Bowater Nuway Mid-States Inc.
7. Catawba Property Holdings LLC
8. Bowater Finance Company Inc.
9. Bowater South American Holdings Incorporated
10. Bowater America Inc.
11. Lake Superior Forest Products Inc.
12. Bowater Newsprint South LLC
13. Bowater Newsprint South Operations LLC
14. Bowater Finance II, LLC
15. Bowater Alabama LLC
16. Coosa Pines Golf Club Holdings, LLC