

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No : 500-11-036133-094

DATE : JULY 28, 2009

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

IN THE MATTER OF THE COMPANIES CREDITORS ARRANGEMENT ACT
CONCERNING :

ABITIBIBOWATER INC.

And

ABITIBI-CONSOLIDATED INC.

And

BOWATER CANADIAN HOLDINGS INC.

And

THE OTHER PETITIONERS LISTED ON SCHEDULES "A", "B" AND "C"

Petitioners

And

ERNST & YOUNG INC.

Monitor

Vs.

SOCIÉTÉ EN COMMANDITE BORALEX ÉNERGIE

Respondent

ORDER

[1] **CONSIDERING** Petitioners' motion seeking confirmation that the cancellation of certain contracts is authorized (*Requête de bene esse des Requérentes afin d'obtenir la confirmation que BCFPI, ACI et ACCC sont autorisées à résilier des contrats*) (the "**Motion**"), dated July 8, 2009, the affidavit filed in support thereof and exhibits R-1 to R-10 filed therewith;

[2] **CONSIDERING** the representations made by the parties;

[3] **CONSIDERING** Respondent is leaving the issue to the Court's consideration, without acknowledging that the Motion is well-founded;

[4] **CONSIDERING** the provisions of the *Companies Creditors Arrangement Act*;

FOR THESE REASONS, THE COURT:

[5] **GRANTS** the Motion;

[6] **CONFIRMS** that the Initial Order dated April 17, 2009 (as amended) authorizes the Petitioners, Bowater Canadian Forest Products Inc., Abitibi-Consolidated Inc. and Abitibi-Consolidated Company of Canada, to cancel the Service Contract (**R-6**), the Vapor Contract (**R-7**), the Bark Contract 1 (**R-1**), the Bark Contract 2 (**R-2**), the Bark Contract 3 (**R-3**), the Bark Contract 4 (**R-4**) and the Bark Contract 5 (**R-5**), notwithstanding the injunction order rendered on January 22, 2008 by the honorable judge Robert Dufresne in Court file # 155-05-000014-077 and the Court of Appeal's decision rendered on October 8, 2008 in Court file # 200-09-006241-084.

[7] **ORDERS** the provisional execution of this judgment notwithstanding any appeal and without the necessity of furnishing any security.

[8] **THE WHOLE without costs.**

(signed)

CLÉMENT GASCON, J.S.C.

Me Sean Dunphy and Me Joseph Reynaud
STIKEMAN, ELLIOTT
Attorneys for Petitioners

Me François LeBel
LANGOIS, KRONSTRÖM, DESJARDINS
Attorneys for Respondent

Date of hearing July 28, 2009

SCHEDULE "A"
ABITIBI PETITIONERS

1. ABITIBI-CONSOLIDATED INC.
2. ABITIBI-CONSOLIDATED COMPANY OF CANADA
3. 3224112 NOVA SCOTIA LIMITED
4. MARKETING DONOHUE INC.
5. ABITIBI-CONSOLIDATED CANADIAN OFFICE PRODUCTS HOLDINGS 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 JONQUIERE PULP COMPANY
17. THE INTERNATIONAL BRIDGE AND TERMINAL COMPANY
18. SCRAMBLE MINING LTD.
19. 9150-3383 QUÉBEC INC.

UNOFFICIAL ENGLISH TRANSLATION

SCHEDULE "B"
BOWATER PETITIONERS

1. BOWATER CANADIAN HOLDINGS INC.
2. BOWATER CANADA FINANCE CORPORATION
3. BOWATER CANADIAN LIMITED
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. CANEXEL HARDBOARD INC.
13. 9068-9050 QUÉBEC INC.
14. ALLIANCE FOREST PRODUCTS (2001) INC.
15. BOWATER BELLEDUNE SAWMILL INC.
16. BOWATER MARITIMES INC.
17. BOWATER MITIS INC.
18. BOWATER GUÉRETTE INC.
19. BOWATER COUTURIER INC.

UNOFFICIAL ENGLISH TRANSLATION

SCHEDULE "C"
18.6 CCAA PETITIONERS

1. ABITIBIBOWATER INC.
2. ABITIBIBOWATER US HOLDING 1 CORP.
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

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SCHEDULE "D"

PARTNERSHIPS

1. BOWATER CANADA FINANCE LIMITED PARTNERSHIP
2. BOWATER PULP AND PAPER CANADA HOLDINGS LIMITED PARTNERSHIP
3. ABITIBI-CONSOLIDATED FINANCE LP