

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No. : 500-11-036133-094

SUPERIOR COURT

Commercial Division
(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act,
R.S.C., c. C-36, as amended)

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

ABITIBIBOWATER INC. et al.

Debtors

and

ERNST & YOUNG INC.

Monitor

and

HER MAJESTY THE QUEEN IN RIGHT OF
THE PROVINCE OF NEWFOUNDLAND
AND LABRADOR

Petitioner

**AGREEMENT BETWEEN THE PARTIES
AS TO THE CONDUCT OF PROCEEDINGS**

THE PARTIES, THROUGH THEIR UNDERDSIGNED ATTORNEYS, AGREE
TO CONDUCT THE PROCEEDINGS SET FORTH BELOW IN
ACCORDANCE WITH THE FOLLOWING SCHEDULE:

PROCEEDINGS

DATE

➤ Counsels will ascertain the position of the
Attorneys General of Canada and Quebec on the
Notice of Intention pursuant to Article 95 C.C.P. by:

January 8, 2010

➤ Both parties will hold examinations on discovery of
their respective representatives (the identity of
which is to be agreed upon between counsel)

January 11 -
January 22, 2010

between:

- Both parties will file any supplementary evidence by: January 29, 2010
- Parties will apply to the Court for a second case management conference in order to set a trial date and, if need be, for a ruling on objections raised during the discovery process by: January 29, 2010

MONTREAL, December 11, 2009

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Stikeman Elliott

STIKEMAN ELLIOTT LLP
Attorneys for the Debtors

Weir Foulds LLP

WEIR FOULDS LLP
Attorneys for the Province of
Newfoundland and Labrador

MONTREAL, December 11, 2009



THORNTON GROUT FINNIGAN LLP
Attorneys for the Monitor