



Court File No. 09-8399-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

THE HONOURABLE MR.
JUSTICE WILTON-SIEGEL

WEDNESDAY, THE 10TH
DAY OF MARCH, 2010

B E T W E E N:

IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF BRUCE R. SMITH LIMITED

Applicant

O R D E R

THIS MOTION, made by the Applicant for an Order, *inter alia*, amending the Amended and Restated Initial Order (the "Amended Initial Order") of this Court to add John Henry Smith Land Inc. as an Applicant in this proceeding and other relief, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of John H. Smith, sworn February 10, 2010, and the exhibits attached thereto, the Supplementary Affidavit of Joseph G. Speranzini, sworn February 11, 2010, and the exhibits attached thereto, the Fourth Report of the Monitor dated February 12, 2010, The Fuller Landau Group Inc., and on hearing the submissions of counsel for the Applicant, the Monitor, Royal Bank of Canada, G.E. Canada Equipment Finance G.P, ~~CIT Financial Ltd.~~, RoyNat Capital and/or RoyNat Inc., Wells Fargo Equipment Finance Company, ~~Volvo Financial Services~~ and such other counsel as may appear,

1. **THIS COURT ORDERS** that paragraph 2 of the Amended Initial Order is hereby amended to add John Henry Smith Land Inc. as a company to which the CCAA applies and all references to "Applicant" in the Amended Initial Order shall hereby include John Henry Smith Land Inc. from the date of this Order.

2. **THIS COURT ORDERS** that the title of proceedings for this matter shall hereafter read as follows:

B E T W E E N:

IN THE MATTER OF THE *COMPANIES' CREDITORS
ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGEMENT OF BRUCE R. SMITH LIMITED and
JOHN HENRY SMITH LAND INC.

Applicants

3. **THIS COURT ORDERS AND DECLARES** that notwithstanding paragraph 9 of the Amended Initial Order, commencing on May 15, 2010, John Henry Smith Land Inc. is hereby directed to make payments of principal and interest thereon or otherwise on account of amounts owing by John Henry Smith Land Inc. to Roynat Inc. as provided in the Amending Letter dated February 16, 2010 from Roynat Inc. to John Henry Smith Land Inc. .



Joanne Nicoara
Registrar, Superior Court of Justice
ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

MAR 10 2010

PER / PAR: JSJ

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF BRUCE R. SMITH LIMITED
APPLICANT**

Court File No. 09-8339-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

**PROCEEDING COMMENCED AT
TORONTO**

ORDER

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