

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

THE HONOURABLE MR.
JUSTICE MORAWETZ

FRIDAY, THE 15TH
DAY APRIL, 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 and
JOHN HENRY SMITH LAND INC.

Applicants



ORDER

THIS MOTION, made by the Applicants for an Order, *inter alia*, extending the stay of proceedings provided for in the Amended and Restated Initial Order of this Court, dated October 16, 2009 (the "Amended Initial Order"), and other relief, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of John H. Smith, sworn March 26, 2010, and the exhibits attached thereto, the Confidential Supplementary Affidavit of John H. Smith, sworn March 26, 2010, the Sixth Report of the Monitor, The Fuller Landau Inc., dated April 14, 2010, and on hearing the submissions of counsel for the Applicants, the Monitor, Royal Bank of Canada, G.E. Canada Equipment Finance G.P, Roynat Inc. CIT Financial Ltd., Alter Moneta Corporation and Finloc 2000 Inc. and such other counsel as may appear,

1. **THIS COURT ORDERS** that the Confidential Supplementary Affidavit of John Henry Smith, sworn March 26, 2010 (the "Confidential Affidavit"), ~~shall be segregated from other documents filed in connection with this motion and shall be provided to the~~

Court in a sealed envelope identifying the action and prominently marked with the following legend: *1787*

1787 "CONFIDENTIAL INFORMATION"

1787 Pursuant to an Order, dated April 15, 2010 (the "Order"), this envelope shall remain sealed in the court file and shall not be opened until further order of the Court.

1787 shall be sealed 1787

and the sealed envelope shall not be opened until further order of the Court. Upon the making of an order under this paragraph, the Applicants shall forthwith advise the Service List by email of the filing or order, and shall provide a copy of the Confidential Affidavit to any party who requests it.



ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

APR 19 2010

PER / PAR: *TU*

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

Court File No. 09-8339-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL COURT**

**PROCEEDING COMMENCED AT
TORONTO**

ORDER

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