

**IN THE SUPREME COURT OF NOVA SCOTIA**

**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 the Applicant, Federal Gypsum Company

**AFFIDAVIT**

I, Rhyne Simpson, Jr., of Califon, in the State of New Jersey, make oath and say as follows that:

1. I am a Director and the President of Federal Gypsum Company (the "Company") and, as such, have personal knowledge of the matters to which I hereinafter depose, except where otherwise acknowledged to be on the basis of information and belief, in which case I believe such information to be true.

2. This affidavit is provided in connection with the Company's application for the approval of the claims bar process (the "Claims Bar Process") as outlined in the draft order filed with this Honourable Court (the "Draft Order") as part of the current proceedings pursuant to the *Companies' Creditors Arrangement Act*, RSC 1985, c. C-36, as amended (the "CCAA").


3. The Claims Bar Process set out in the Draft Order has been prepared by the Company in consultation with Paul Goodman of BDO Dunwoody Goodman Rosen Inc., the Monitor appointed under these CCAA proceedings.

4. The Company is in full agreement with the proposed Claims Bar Process and will cooperate fully with the Monitor in carrying out the Claims Bar Process.

**SWORN TO** at Halifax, in the County of Nova Scotia, this 19<sup>th</sup> day of November, 2007, before me:

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A Barrister of the Supreme Court of Nova Scotia

*Maurica P. Chiasson*

  
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**RHYNE SIMPSON, JR.**

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**AFFIDAVIT**

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