

Court File No.31-207545-T

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY**

THE HONOURABLE) WEDNESDAY, THE 24TH DAY
JUSTICE WILTON-SIEGEL) OF SEPTEMBER 2008

**IN THE MATTER OF THE BANKRUPTCY OF
HARD-ROCK CONSTRUCTION INC.**
of the Town of Port Colborne, in the Province of Ontario

BANKRUPTCY ORDER

ON THE APPLICATION of Caterpillar Financial Services Limited (the "Applicant"), a creditor, of the Town of Oakville, in the Province of Ontario, filed on April 28, 2008;

UPON READING the Application for Bankruptcy Order of the Applicant and the Affidavit of Truth of Statements in Application sworn by William Scarlett, and upon hearing counsel for the Applicant, and it appearing to the Court that the following acts of bankruptcy have been committed:

- (a) Hard-Rock Construction Inc. has ceased to meet its liabilities generally as they become due.

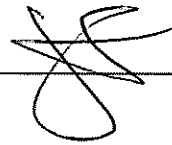
1. **THIS COURT ORDERS** that the time for service of this Application is hereby abridged so that this Application is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that Hard-Rock Construction Inc., of the Town of Port Colborne, in the Province of Ontario, be and it is hereby adjudged bankrupt and a Bankruptcy Order is hereby made against Hard-Rock Construction Inc..

3. **THIS COURT FURTHER ORDERS** that KPMG Inc. of the City of Toronto, in the Province of Ontario, be appointed as Trustee of the estate of the said bankrupt.

4. **THIS COURT FURTHER ORDERS** that the Trustee give security in an amount to be fixed by the Official Receiver pursuant to section 16(1) of the *Bankruptcy and Insolvency Act*.


5. **THIS COURT FURTHER ORDERS** that the costs of the Applicant of and incidental to this Application and Bankruptcy Order be paid to the Applicant out of the assets of the bankrupt upon taxation thereof.



Joanne Nicoara
Registrar, Superior Court of Justice

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ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

SEP 25 2008

PER/PAR: 

**IN THE MATTER OF THE BANKRUPTCY OF HARD-ROCK CONSTRUCTION INC.
of the Town of Port Colborne, in the Province of Ontario**

**ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceeding Commenced at Toronto

BANKRUPTCY ORDER

BLAKE, CASSELS & GRAYDON LLP
Barristers and Solicitors
Box 25, Commerce Court West
199 Bay Street, Suite 2800
Toronto, Ontario M5L 1A9

Steven J. Weisz, LSUC # 32102C
Tel: 416-863-2616

Katherine McEachern, LSUC #38345M
Tel: 416-863-2566

Michael McGraw, LSUC # 46679C
Tel: 416-863-4247

Fax: 416-863-2653

Solicitors for Caterpillar Financial Services
Limited