



(ONTARIO)
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY AND INSOLVENCY

THE HONOURABLE JUSTICE)
)
WILTON-SIEGEL) MONDAY, THE 17th
) DAY OF MARCH, 2008

IN THE MATTER OF THE BANKRUPTCY
OF BRAKE PRO, LTD.
OF THE CITY OF CONCORD,
PROVINCE OF ONTARIO

BANKRUPTCY ORDER

On the application of WACHOVIA CAPITAL FINANCE CORPORATION (CANADA) ("Wachovia"), of the City of Toronto, Province of Ontario, filed March 6, 2008;

HAVING READ the Application for Bankruptcy Order, the Affidavit of Truth of Statements of Niall Hamilton dated March 6, 2008 and the Application for Bankruptcy Order of Wachovia, filed,

HAVING READ the affidavit of Niall Hamilton sworn February 29, 2008 (the "Hamilton Affidavit"), the seventh report of the monitor, BDO Dunwoody Limited (the "Monitor") dated March 5, 2008, the eighth report of the Monitor dated March 14, 2008 (the "Eight Report"), the statement of law of Brake Pro, Ltd. ("Brake Pro") dated March 5, 2008, the statement of law of Wachovia and Tenneco Canada Inc., dated March 5, 2008, the statement of law of Canada Revenue Agency dated March 5, 2008 and the statement of law of The United Steel Workers dated March 5, 2008, and on hearing the submissions of counsel for Brake Pro,

Wachovia, Tenneco, Canada Revenue Agency, The United Steel Workers and the Monitor, and no one else appearing, and on reading the consent of A. Farber & Partners Inc. ("Farber") filed,

AND IT APPEARING to the Court that the following act of bankruptcy has been committed, namely: that Brake Pro has ceased to meet its liabilities generally as they become due:

1. **THIS COURT ORDERS** that the time for service and filing of this Application for a Bankruptcy Order and the Eighth Report is hereby abridged so that this application is properly returnable March 17, 2008 and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that Brake Pro, of the City of Concord, in the Province of Ontario, be and is hereby adjudged bankrupt and a Bankruptcy Order is hereby made against Brake Pro effective March 17, 2008.
3. **THIS COURT ORDERS** that Farber, of the City of Toronto, in the Province of Ontario, be and is hereby appointed trustee of the estate of Brake Pro (the "Trustee") effective March 17, 2008.
4. **THIS COURT ORDERS** that the Trustee shall give security in an amount to be fixed by the Official Receiver in accordance with subsection 16(1) of the *Bankruptcy and Insolvency Act* (Canada).
5. **THIS COURT ORDERS** that the costs of Wachovia and those costs incidental to this Order be paid out of the estate of the bankrupt upon taxation thereof.
6. **THIS COURT ORDERS** that the *Companies' Creditors Arrangement Act* proceedings bearing court file no. 07-CL-7106 and the Stay Period as defined in the order dated July 24, 2007 shall terminate on March 17, 2008 upon issuance of this Order.



Christina Irwin
Registrar, Superior Court of Justice



**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at TORONTO

ORDER

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Solicitors for BDO Dunwoody Limited
In its capacity as Monitor of Brake Pro, Ltd.