

Court File No. 31-OR-207270-T

**ONTARIO
SUPERIOR COURT OF JUSTICE
IN BANKRUPTCY**

THE HONOURABLE

) **TUESDAY, THE 31st DAY**

MR. JUSTICE FARLEY

) **OF MAY, 2004**

**IN THE MATTER OF THE BANKRUPTCY OF
999361 ONTARIO INC.
of the City of Toronto
in the Province of Ontario**

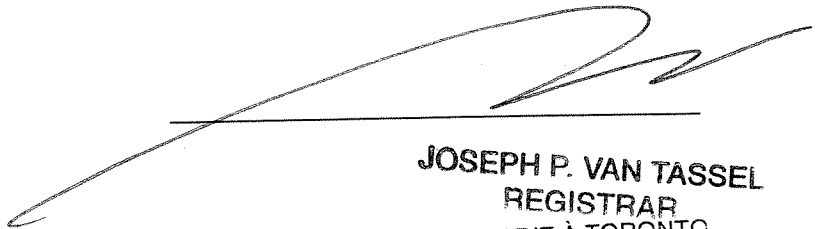
BANKRUPTCY ORDER

UPON the application of BDO Dunwoody Limited ("BDO") in its capacity as Monitor of 999361 Ontario Inc. ("999361") pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36, as amended (the "Monitor");

AND UPON reading the Motion Record of BDO returnable May 31, 2005 and upon reading the Fifth Report to the Court submitted by BDO in its capacity as Monitor and First Report to the Court submitted by BDO in its Capacity as Interim Receiver of 999361 dated May 24, 2005 and upon hearing submission of counsel for BDO, 999361 and other interested parties that the following act of bankruptcy has been committed:

- (a) 999361 has ceased to meet its liabilities generally as they become due.

1. **THE COURT HEREBY ORDERS** that 999361 Ontario Inc. of the City of Toronto, Province of Ontario, be adjudged bankrupt by virtue of a Bankruptcy Order hereby made on this date.
2. **THE COURT FURTHER ORDERS** that BDO Dunwoody Limited, of the City of Toronto, Province of Ontario, be appointed as trustee of the estate of the bankrupt.
3. **THE COURT FURTHER ORDERS** that the trustee shall forthwith give security in cash or by bond in accordance with subsection 16(1) of the *Bankruptcy and Insolvency Act* (Canada).
4. **THE COURT FURTHER ORDERS** that the costs of BDO shall be paid out of the estate of the said bankrupt upon taxation thereof.
5. **THE COURT FURTHER ORDERS** that the Interim Receiver's Charge (as defined in the Order of this Honourable Court dated April 14, 2005) and the Monitor's Charge (as defined in the Order of this Honourable Court dated September 15, 2004) continue to apply to the assets of 999631 as held by the Trustee and that the Trustee is authorized to make payments to satisfy such charges without the charge holders submitting a proof of claim in the bankruptcy.



JOSEPH P. VAN TASSEL
REGISTRAR

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

MAY 3 1 2005

PER/PAR

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IN THE MATTER OF THE BANKRUPTCY OF 999361 ONTARIO INC.
of the City of Toronto in the Province of Ontario

31-OR-207290-T

Court File No.

ONTARIO

**SUPERIOR COURT OF JUSTICE
(BANKRUPTCY)**

Proceeding commenced at TORONTO

BANKRUPTCY ORDER

FRASER MILNER CASGRAIN LLP

Barristers and Solicitors

P.O. Box 100

1 First Canadian Place

Toronto, Ontario

M5X 1B2

DANIEL R. DOWDALL

LSUC No. 16737D

Telephone: (416) 863-4700

JOHN D. RUSSO

LSUC No. 42939V

Telephone: (416) 863-4648

Facsimile: (416) 863-4592

Solicitors for BDO Dunwoody Limited,
in its capacity as Monitor and Interim
Receiver of Fincore Industries. Inc. and
999361 Ontario Inc.