

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

**THE HONOURABLE MADAM
JUSTICE PEPALL**

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**TUESDAY, THE 19TH
DAY OF MAY, 2009**



**RETURN ON INNOVATION CAPITAL LTD. as agent for ROI FUND INC., ROI
SCEPTRE CANADIAN RETIREMENT FUND, ROI GLOBAL RETIREMENT FUND
and ROI HIGH YIELD PRIVATE PLACEMENT FUND and
ANY OTHER FUND MANAGED by ROI from time to time**

Applicants

- and -

**GANDI INNOVATIONS LIMITED
GANDI INNOVATIONS HOLDINGS LLC AND GANDI INNOVATIONS LLC**

Respondents

ORDER

THIS MOTION, made by Gandi Innovations Limited, Gandi Innovations Holdings LLC and Gandi Innovations LLC (collectively, the “**Gandi Companies**”) for an order extending the stay of proceedings (the “**Stay Period**”) granted by the Order of Justice Hoy dated May 8, 2009 (the “**Initial Order**”), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of Trent Garmoe sworn May 15, 2009, and the First Report of the Monitor dated May 15, 2009, filed, and on hearing the submissions of counsel for the Gandi Companies, the Applicants, BDO Dunwoody Limited in its capacity as Court-appointed monitor, State Bank of India (Canada), Return on Innovation, TA Associates, Noble Precision and Tools Limited, no one else appearing though properly served as appears from the Affidavit of Service, filed:

Service

1. **THIS COURT ORDERS** that the time for service of the Motion Record is hereby abridged such that this motion is properly returnable today and that further service of the Motion Record is hereby dispensed with.

Stay Extension

2. **THIS COURT ORDERS** that the Stay Period set out in paragraph 27 of the Initial Order is hereby extended to June 19, 2009.

3. **THIS COURT ORDERS** that paragraph 27 of the Initial Order is not intended to preclude the U.S. Bankruptcy Court of the Western District of Texas from granting any provisional relief pending recognition of the within proceeding as a foreign main proceeding pursuant to Chapter 15 of the U.S. Bankruptcy Code with respect to the complaint filed by TA Associates in the Presiding District Court of Bexar County Texas as against the Respondents, Gandhi Innovations Holding LLC and Gandhi Innovations LLC.



Christina Irwin
Registrar, Superior Court of Justice

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

MAY 19 2009

PER / PAR: 

RETURN ON INNOVATION CAPITAL LTD. as agent
for ROI9 FUND INC., ROI SCEPTRE CANADA
RETIREMENT FUND, ROI GLOBAL RETIREMENT
FUND and ROI HIGH YIELD PRIVATE PLACEMENT
FUND and ANY OTHER FUND MANAGED by ROI
from time to time

and

GANDI INNOVATIONS LIMITED
GANDI INNOVATIONS HOLDINGS
LLC AND GANDI INNOVATIONS LLC

Court File No: 09-CL-8172

Applicants

Respondents

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

ORDER

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