



Court No.: 09-CL-8172

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) WEDNESDAY, THE 20TH
)
JUSTICE CUMMING) DAY OF JANUARY, 2010

**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 Gandhi Innovations Limited, Gandhi Innovations Holdings LLC and Gandhi Innovations LLC (collectively, the "**Gandi Companies**") for an order, *inter alia*, extending the stay of proceedings (the "**Stay Period**") granted by the Order of Justice Hoy dated May 8, 2009 (the "**Initial Order**"), extended by the Order of Justice Pepall dated May 19, 2009 (the "**First Extension Order**"), by the Order of Justice Hoy dated June 17, 2009 (the "**Second Extension Order**"), by the order of Justice Morawetz dated August 10, 2009 (the "**Third Extension Order**"), by the Order of Justice Newbould dated October 7, 2009 (the "**Fourth Extension Order**"), and by the Order of

Justice Pepall dated November 19, 2009 (the "Fifth Extension Order"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and the Eighth Report of BDO Canada Limited in its capacity as Court-appointed monitor (the "Monitor") (the "Eighth Report"), filed, and on hearing the submissions of counsel for the Gandhi Companies, the Monitor, State Bank of India (Canada), Return on Innovation Capital Ltd., TA Associates and Agfa Inc., 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 and extended by the First Extension Order, the Second Extension Order, the Third Extension Order, the Fourth Extension Order and the Fifth Extension Order is hereby extended to March 10, 2010.

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

JAN 20 2010

Jan. 20, 2010

Paul A. Cumming J.

PER / PAR:



Joanne Nicoara
Registrar, Superior Court of Justice

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

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**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

ORDER

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