

Court File No. CV-08-7630-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE) TUESDAY, THE 23rd DAY
)
JUSTICE C. L. CAMPBELL) OF SEPTEMBER, 2008

ROYAL BANK OF CANADA

Applicant

- and -

**THE FISH MAN COMPANY LIMITED, 1669836 ONTARIO INC. o/a GREAT
NORTHERN SMOKEHOUSE AND FINE FOOD, and OCEANFRESH PACKAGING
INTERNATIONAL CORP.**

Respondents

ORDER

THIS MOTION, made by the Applicant for an Order requiring the production and delivery by Randy Kushnir ("Kushnir") as vendor or principal of the vendor company to Grant Thornton Limited of all sale documents relating to the sale of Oceanfresh Packaging International Corp. in or around September, 2007, and further that Grant Thornton Limited be entitled to disclose those documents, or the information contained therein, if it determines it in its sole discretion appropriate and necessary to do so in furtherance of its marketing efforts was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the report of Grant Thornton Limited dated July 28, 2008 and addendum dated August 20, 2008, and the affidavit of Robert Fick sworn August 25th, 2008 and the Exhibits thereto, the Affidavit of Morad Shain sworn September 8, 2008 and the Affidavit of Sandra Napier sworn September 23, 2008, and on hearing the submissions of counsel for Royal Bank of Canada, counsel for the Respondents, and for Oceanfresh Cold Storage International Corp.


("Cold Storage") and Oceanfresh International Corp. ("Logistics"), and no one appearing for Kushnir, the Affidavits of Service of Neil Haigh and Laura Monteforte.

1. THIS COURT AUTHORIZES AND DIRECTS Randy Kushnir to provide to Grant Thornton Limited ("GTL") in its capacity as court appointed Receiver Manager of Oceanfresh Packaging International Corp. ("OFP") a copy of the Agreement of Purchase and Sale dated on or about August-September, 2007 and to which OFP or any of the other Respondents to this proceeding is a party.

2. THIS COURT ORDERS that GTL is authorized to disclose to Royal Bank of Canada ("RBC"):

- (a) the parties to the agreement;
- (b) that OFP is the purchaser of the business under the agreement, and, if not, to advise whether the purchaser of the business is another of the Respondents to this proceeding, and, if so, to disclose the identity of the purchaser of the business as stated in the agreement; and
- (c) the purchase price allocated to the business under the agreement.

3. THIS COURT ORDERS that in all other instances no information shall be disclosed by GTL to RBC or any person without court order upon notice to the parties to the agreement or absent written consent of all such parties.



Joanne Niccara
Registrar, Superior Court of Justice

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

OCT 02 2008

PER/PAR: JN

ROYAL BANK OF CANADA

Applicant(s)

- and -

THE FISH MAN COMPANY LIMITED, ET. AL.
Respondent(s)

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**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

ORDER

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