

14 MAY 2008

Court File No. 07-CL-7109

Mr. A. Ilichenko  
May 14/08.

for BDO Dunwoody - Interim Rec.

Mr. K. Page  
By Counsel to  
Interim Receiver.

Mr. A. Gagnon for Applicant  
and Interim Rec.

Es. Mr. Stelbrink advised that the  
above interim claim arose in  
Bryghis Arts had been reviewed  
and that Bryghis Arts would not be  
pursuing the matter and further  
that counsel to Bryghis Arts  
was agreeable to a clause  
in the order that

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ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

Proceedings Commenced at Toronto

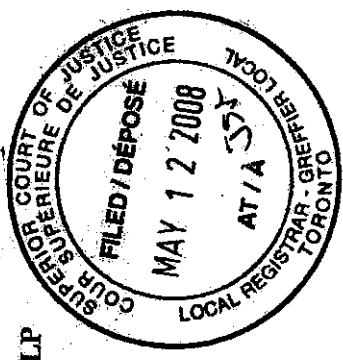
MOTION RECORD

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Solicitors for the Monitor and Interim  
Receiver BDO DUNWOODY LIMITED



would declare the Parity Interest Clause  
to be unenforceable as it violates s 8  
of the Interest Act.

The Order is to include a provision  
that the Parity Interest Clause is  
unenforceable.

As a result the Interest Review is  
in a position to release £236,250 from  
the reserve account.

The report supports the relief  
has requested in this matter.

Dr. H. H. H. has advised that  
no adverse comment has been

received in respect of the activities  
and the activities of the BDO  
as Interest Review and that two  
as described in the 7th & 8th

Reports. The 7th Report was  
circulated some time ago and

the 8th Report was served

May 21/08

I am satisfied that the order  
shall include a clause approving  
the activities of BDO as described  
in both reports.

The distribution as described in  
paragraph 5 of the draft order  
~~is~~ approved, as are the  
fees of \$300, France 1.1.1. and  
Page 1.1.1.

Order to go to the form of  
the draft submitted, as  
amended.

It was noted that the Applicant  
still intends to file a modest Plea of  
Arraignment. The timing will depend on the  
resolution of certain claims.

