



**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE )  
 ) FRIDAY, THE 31<sup>ST</sup> DAY OF  
 )  
MADAM JUSTICE PEPALL ) OF OCTOBER, 2008

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT,  
R.S.C. 1985, C. c-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT  
OF SAPPHIRE TOWER DEVELOPMENT CORP.**

**APPLICATION UNDER THE COMPANIES' CREDITORS ARRANGEMENT ACT,  
R.S.C. 1985, c. C-36, AS AMENDED**

**ORDER**

**THIS MOTION**, made by Shibley Righton LLP, for an Order removing Shibley Righton LLP as Solicitor of Record in the Matter of a Plan of Compromise or Arrangement of Sapphire Tower Development Corp., was heard this day at the Court House, 393 University Avenue, Toronto, Ontario.

**ON READING** the Motion Record filed and the Affidavit of Arthur O. Jacques, sworn October 29, 2008, and the exhibits attached thereto, and on hearing the submissions of counsel for Shibley Righton LLP, *+ on consent of the client,* *870*

- THIS COURT ORDERS THAT** Shibley Righton LLP be removed as Solicitor of Record for Sapphire Tower Development Corporation, c/o Harry Stinson, 5 Bull's Lane, Hamilton, Ontario, L9A 1C7 Tel: (905) 538-4808, Fax: (905) 538-4811. *Email:* *harrystinson@mountaincable.net* *870*

2. **THIS COURT ORDERS THAT** time for service of the materials filed in support of this motion is also abridged and service of same is hereby validated.
3. **THIS COURT ORDERS THAT** this order shall be effective upon compliance with the *Rules*.
4. **THIS COURT ORDERS THAT** when this order has been entered a copy thereof shall be served on all parties to the action and the original order shall be filed with proof of service.
5. In accordance with Rule 15.04(4) this order includes the text of subrule 15.04(6) and (7):

*Corporations*

(6) A client that is a corporation shall, within 30 days after being served with the order removing the solicitor from the record,

(a) appoint a new solicitor of record by serving a notice under subrule 15.03 (2); or

(b) obtain and serve an order under subrule 15.01 (2) granting it leave to be represented by a person other than a solicitor.

(7) If the corporation fails to comply with subrule (6),

(a) the court may dismiss its proceeding or strike out its defence; and

(b) in an appeal,

(i) a judge of the appellate court may, on motion, dismiss the corporation's appeal, or

(ii) the court hearing the appeal may deny it the right to be heard.

6. THIS COURT ORDERS THAT there be no order as to costs.

At Epoll, J

7. On consent of the parties, service on the client described in paragraph 1 may be by e-mail at the address noted herein for all proceedings in this matter. -

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ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

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PER/PAR: TV

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED  
AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF SAPPHIRE TOWER DEVELOPMENT  
CORP.

Court File No. 07-CL-7109

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**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**PROCEEDING COMMENCED AT TORONTO**

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**ORDER**

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