

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE) TUESDAY, THE 4TH DAY OF
)
MR. JUSTICE CUMMING) SEPTEMBER, 2007

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 BDO DUNWOODY LIMITED, the Monitor and Interim Receiver (the "Interim Receiver") of Sapphire Tower Development Corp. (the "Applicant") for an Order extending the Stay of Proceedings (the "Stay") granted by the Initial Order of Justice Cumming dated July 20th, 2007 (the "Initial Order") to November 16th, 2007 and approving a sale process proposed by the Interim Receiver, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion of the Interim Receiver herein dated August 30th, 2007, the Second Report of the Interim Receiver dated August 30th, 2007 (the "Second Report"), the Affidavit of Service, filed, and on hearing the submissions of counsel for the Interim Receiver, counsel for the Applicant and such other counsel as may be in attendance on this motion.

1. **THIS COURT ORDERS** that the time for the service of the Notice of Motion and the Motion Record is hereby abridged so that this motion is properly returnable today, that all parties entitled to notice of this Motion have been duly served with notice of this Motion, and that any further service is hereby dispensed with.

2. **THIS COURT ORDERS** that the Second Report, and the activities of the Interim Receiver as disclosed in the Second Report, are hereby approved.

3. **THIS COURT ORDERS** that the terms of the Initial Order, including the Stay, be continued and extended to November ¹⁶, 2007.

4. **THIS COURT ORDERS** that the sale process as set out at Schedule "A" to the Second Report (the "Sale Process") is hereby approved, and the Interim Receiver is hereby directed to implement the Sale Process by publishing this Order, and the Second Report, including the Sale Process, on the website www.bdo.ca/sapphire (the "Sapphire Web Site"), and the Interim Receiver shall advise all of the known creditors, in writing, to review the materials regarding the Sale Process on the Sapphire Web Site, and any interested party may apply to this Court, by September 11, 2007, to vary or amend the Sale Process, as hereby approved, on 3 business days notice to the Interim Receiver and to the Applicant, ^{PAC} *SUCH MOTION TO BE RETURNABLE ON SEPTEMBER 24, 2007* PAC

Sept 4, 2007 Peter A. Cumming J.

**IN THE MATTER OF the Companies' Creditors Arrangement Act, R.S.C. 1985, c.C-36, as amended
AND IN THE MATTER OF the Plan of Compromise and Arrangement of **SAPPHIRE TOWER DEVELOPMENT CORP.**
Interim Receiver**

Court File No. 07-CL-7109

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings Commenced at Toronto

ORDER

FRASER MILNER CASGRAIN LLP
BARRISTERS AND SOLICITORS
1 First Canadian Place
100 King Street West,
Toronto, Ontario
M5X 1B2

Daniel R. Dowdall
LSUC: 16737D
Telephone: (416) 863-4700
Facsimile: (416) 863-4592
Email: dan.dowdall@fmec-law.com

Solicitors for the Monitor BDO DUNWOODY
LIMITED