

ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

THE HONOURABLE MR.)	TUESDAY THE 8 TH DAY
JUSTICE MORAWETZ)	OF MAY, 2012

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

AND IN THE MATTER OF CERTAIN PROCEEDINGS TAKEN IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MASSACHUSETTS EASTERN DIVISION WITH RESPECT TO THE COMPANIES LISTED ON SCHEDULE "A" HERETO (THE "DEBTORS")

APPLICATION OF MASSACHUSETTS ELEPHANT & CASTLE GROUP, INC.

UNDER SECTION 46 OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

ORDER

THIS MOTION, made by Heenan Blaikie LLP ("Heenan") for an Order removing Heenan as lawyers of record to the Debtors was heard on this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion, filed, the Third Report of BDO Canada Limited, in its capacity as Information Officer, dated May 2, 2012 and the Affidavit of Sara-Ann Wilson sworn May 3, 2012, filed, and upon hearing the submissions of counsel for the Debtors, no one appearing for any other person on the service list, although properly served as appears from the Affidavit of Erika Leslie sworn May 3, 2012, filed:

1. **THIS COURT ORDERS AND DECLARES** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that Heenan is hereby removed as lawyers of record to the Debtors.

3. **THIS COURT ORDERS** that all future notices, correspondence, court materials and other documentation addressed to the Debtors are to be directed to or served on legal counsel to Harry Murphy, Chapter 7 Trustee for the Debtors (the "Chapter 7 Trustee"), at the following address:

Murphy & King P.C. One Beacon Street Boston MA 02108

Attention: Andrew Lizotte and Harold Murphy

Email: agl@murphyking.com; hbm@murphyking.com.

4. **THIS COURT ORDERS** that the service of documents on counsel for the Chapter 7 Trustee at the above-noted address shall be deemed good and sufficient service on the Debtors for all purposes.

ENTERED AT / INSCRIT À TORONTO ON / BOOK NO:

LE / DANS LE REGISTRE NO.:

MAY 0 8 2012

SCHEDULE A

- 1. Massachusetts Elephant & Castle Group, Inc.
- 2. Repechage Investments Limited
- 3. Elephant & Castle Group Inc.
- 4. The Elephant and Castle Canada Inc.
- 5. Elephant & Castle, Inc. (a Texas Corporation)
- 6. Elephant & Castle Inc. (a Washington Corporation)
- 7. Elephant & Castle International, Inc.
- 8. Elephant & Castle of Pennsylvania, Inc.
- 9. E & C Pub, Inc.
- 10. Elephant & Castle East Huron, LLC
- 11. Elephant & Castle Illinois Corporation
- 12. E&C Eye Street, LLC
- 13. E & C Capital, LLC
- 14. Elephant & Castle (Chicago) Corporation

Court File No.: CV-11-9279-00CL

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

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ONTARIO SUPERIOR COURT OF JUSTICE COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

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