

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

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

**THE HONOURABLE MR.**

)

**THURSDAY, THE 8TH DAY**

)

**JUSTICE MORAWETZ**

)

**OF DECEMBER, 2011**

**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 "CHAPTER 11 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**

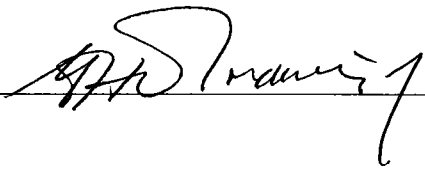
**ORDER**

(Re First Report of the Information Officer)

**THIS MOTION**, made by the Court Appointed Information Officer, BDO Canada Limited, in the proceedings brought by the Massachusetts Elephant & Castle Group, Inc. (the "Applicant"), for an Order reporting to this Court as to the Chapter 11 proceedings referred to above and as required by the Interim Initial Order of Mr. Justice Morawetz dated June 29, 2011 in this matter, was heard this day at 330 University Avenue, Toronto, Ontario, without notice.

**ON READING** the Notice of Motion and the First Report of the Information Officer, BDO Canada Limited filed, and upon hearing the submissions of counsel for the Information Officer,

1. **THIS COURT ORDERS** the nature of this motion and the circumstances are such that no notice is necessary and that this motion is accordingly properly brought without notice.
2. **THIS COURT ORDERS** that the First Report of the Information Officer, BDO Canada Limited in these proceedings be received by this Court as contained in the Motion Record.
3. **THIS COURT ORDERS** that the First Report of the Information Officer shall be made available on the Information Officer's website in these proceedings.

  
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FILED AT / INSÉRÉ À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

DEC 08 2011

PER/PAR:



**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

RCP-E 37A (July 1, 2007)

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 "CHAPTER 11 DEBTORS") MASSACHUSETTS ELEPHANT & CASTLE GROUP, INC.

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

**ORDER**

**GARDINER ROBERTS LLP**

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Lawyers for BDO Canada Limited, Information Officer

RCP-E 4C (July 1, 2007)