

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)
JUSTICE HOY) THURSDAY the 2nd day
of APRIL, 2009

BETWEEN:

**1261746 ONTARIO INC., WILNOR HOLDINGS LTD., LIGHTHOUSE
EQUITIES LTD., WILLIAM H. BROWN and ROBERT HART**

Applicants

- and -

**PETER SABOURIN, SABOURIN AND SUN CANADA INC., SABOURIN AND SUN
INC., SABOURIN AND SUN (BVI) INC., and SABOURIN AND SUN
GROUP OF COMPANIES INC.**

Respondents

ORDER

THIS MOTION made by the Applicants for an Order approving the Receiver's Fourth Report dated December 12th, 2008; an Order approving the fees and disbursements of the Receiver and its legal counsel; an Order requiring Stephen Ponesse, Paul Anderson, Maria Skultety, David Preger and Peter Carey to provide full accounting of funds received by Respondents; an Order for an Examination for Discovery of Geoffrey Tate, Tracey Tate, Greg Irwin, Edward Bensusan, Peter Carey, Stephen Ponesse and Patrick Keavney; an Order requiring the Bank of Montreal to release funds currently held in the name of Peter Sabourin to Judith Laiken; an Order vesting the remaining piece of property known as 20 Scotia Road, Parry Sound, Ontario to 1281515 Ontario Inc., in trust and an Order abridging the time for service of the herein Notice of Motion was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and Affidavit of Paul McGrath sworn March 13th, 2009 and hearing submissions from counsel for the parties.

1. **THIS COURT ORDERS** the approval of the fees and disbursements of the Receiver's Fourth Report dated December 12th, 2008 and fees of its legal counsel.
2. **THIS COURT ORDERS** that a full accounting of all funds received by the Respondents or as set forth in the Notice of Motion be produced by their counsel Stephen Ponesse, Paul Anderson, Maria Skultety and Peter Carey.
3. **THIS COURT ORDERS** that Geoffrey Tate, Greg Irwin, Edward Bensusan, Stephen Ponesse, Maria Skultety and Patrick Keavney are hereby ordered to attend for an Examination for Discovery within 40 days from the date hereof;
4. **THIS COURT ORDERS** that the funds currently held by the Bank of Montreal to the credit of the Respondent Peter Sabourin be released to Judith Laiken.
5. **THIS COURT ORDERS** the vesting of the remaining piece of property known as 20 Scotia Road, Parry Sound, Ontario to 1281515 Ontario Inc., in Trust.



Tara Stead
Registrar, Superior Court of Justice

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

APR 03 2009

PER / PAR: 

1261746 ONTARIO INC., ET AL

Applicants

and

PETER SABOURIN, ET AL

Respondents

Court File No.: 07-CL-7077

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceeding commenced at Toronto

ORDER

DANSON ZUCKER & CONNELLY

Barrister & Solicitor
500 - 70 Bond Street
Toronto, Ontario
M5B 1X3

**Symon Zucker
LSUC#15832C**

Telephone: 416-863-9955
Facsimile: 416-863-4896
E-mail: sz@bondlaw.net

Solicitors for the Applicants