

**SUPERIOR COURT
(Commercial Division)**

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

No.: 500-11-041305-117

DATE: December 18, 2013

PRESIDING: THE HONOURABLE LOUIS J. GOUIN, J.S.C.

IN THE MATTER OF THE PLAN OF COMPROMISE OR ARRANGEMENT OF:

HOMBURG INVEST INC.

HOMBURG SHARECO INC.

CHURCHILL ESTATES DEVELOPMENT LTD.

CP DEVELOPMENT LTD.

NORTH CALGARY LAND LTD.

HOMBURG MANAGEMENT (CANADA) INC.

Debtors / Petitioners

- and -

HOMCO REALTY FUND (52) LIMITED PARTNERSHIP

HOMCO REALTY FUND (61) LIMITED PARTNERSHIP

HOMCO REALTY FUND (83) LIMITED PARTNERSHIP

HOMCO REALTY FUND (88) LIMITED PARTNERSHIP

HOMCO REALTY FUND (89) LIMITED PARTNERSHIP

HOMCO REALTY FUND (92) LIMITED PARTNERSHIP

HOMCO REALTY FUND (94) LIMITED PARTNERSHIP

HOMCO REALTY FUND (96) LIMITED PARTNERSHIP

HOMCO REALTY FUND (105) LIMITED PARTNERSHIP

HOMCO REALTY FUND (121) LIMITED PARTNERSHIP

HOMCO REALTY FUND (142) LIMITED PARTNERSHIP

HOMCO REALTY FUND (190) LIMITED PARTNERSHIP

HOMCO REALTY FUND (191) LIMITED PARTNERSHIP

HOMCO REALTY FUND (199) LIMITED PARTNERSHIP

CASTELLO DEVELOPMENT LTD.

Mises-en-cause

- and -

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.

Monitor

JG2270

ORDER GRANTING ACCESS TO RESTRICTED CASH

[1] The Petitioners present a *Motion for access to restricted cash* (the "**Motion**") pursuant to section 11 of the *Companies' Creditors Arrangement Act*, R.S.C. 1985 (the "**CCAA**");

[2] **CONSIDERING** the Motion and affidavit in support thereof, and the representations of counsel;

[3] **CONSIDERING** the Monitor's Thirtieth Report dated December 17, 2013;


[4] **CONSIDERING** the provisions of the CCAA;

FOR THESE REASONS, THE COURT:

[5] **GRANTS** the Motion;

[6] **ORDERS** that Homburg Invest Inc. shall be entitled to have access to an incremental amount of up to \$2,585,000 (two million five hundred eighty-five thousand dollars) of the Restricted Cash (as defined in the Motion) for the purposes of funding the liquidity requirements of the HII Group (as defined in the Motion) during its restructuring under the CCAA, all further funding requirements to be approved by further order of the Court;

[7] **THE WHOLE** without costs.



LOUIS J. GOUIN, J.S.C.

Hearing date : December 18, 2013

Me Martin Desrosiers
Me Sandra Abitan
Me Julien Morissette
Osler, Hoskin & Harcourt LLP
Counsel to Petitioners