

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

NO: 500-11-041305-117

DATE: September 14, 2012

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.
INVERNESS ESTATES DEVELOPMENT LTD.
CP DEVELOPMENT LTD.
NORTH CALGARY LAND LTD.

Debtors / Petitioners

- and -

HOMCO REALTY FUND (52) 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 (122) LIMITED PARTNERSHIP
HOMCO REALTY FUND (142) LIMITED PARTNERSHIP
HOMCO REALTY FUND (199) LIMITED PARTNERSHIP

Mises-en-cause

SAMSON BÉLAIR/DELOITTE & TOUCHE INC.

Monitor

JG2270

**ORDER GRANTING SIXTH EXTENSION, ACCESS TO RESTRICTED CASH AND
SHAREHOLDERS' MEETING EXEMPTION**

[1] The Petitioners present a *Motion to extend the stay period and for access to restricted cash, for an exemption to hold shareholders' meeting and related orders* dated September 11, 2012 (the "**Motion**") pursuant to sections 11 and 11.02 of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 ("**CCAA**");

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

[3] **CONSIDERING** the Monitor's Fifteenth Report dated September 13, 2012;

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

FOR THESE REASONS, THE COURT:

[5] **GRANTS** the present *Motion to extend the stay period and for access to restricted cash, for an exemption to hold shareholders' meeting and related orders* (the "**Motion**");

[6] **DECLARES** that all capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion;

[7] **EXTENDS** the Stay Period (as defined in the Initial Order and as extended from time to time) to October 12, 2012, the whole subject to the terms of the Initial Order, as amended;


[8] **ORDERS** that HII shall be entitled to have access to an incremental amount of up to \$3,000,000 (three million dollars) of the Restricted Cash for the purposes of funding the liquidity requirements of the HII Group during its restructuring under the CCAA; all further funding requirements to be approved by further order of this Court;

[9] **EXEMPTS** HII from holding any shareholders' meeting until further order of the Court and **DECLARES** that the present order is the only authorization required to this effect;

[10] **PRAYS ACT** of the Monitor's Fifteenth Report;

[11] **ORDERS** provisional execution of the present order, notwithstanding appeal;

[12] **THE WHOLE WITHOUT COSTS.**



LOUIS J. GOUIN, J.S.C.

Hearing date : September 14, 2012

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