

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Commercial List)**

THE HONOURABLE MR )  
JUSTICE NEWBOULD )  
)

WEDNESDAY, THE 28<sup>th</sup> DAY  
OF OCTOBER, 2009

BETWEEN

HSBC BANK CANADA

Applicant

and

HARWELL HESCO ELECTRIC SUPPLY CO. LIMITED

Respondent

**ORDER**

**THIS MOTION**, made by Deloitte & Touche Inc., in its capacity as court-appointed interim receiver under section 47(1) of the *Bankruptcy and Insolvency Act* and interim receiver under section 101 of the *Courts of Justice Act* (the "Receiver") without security, of all of the assets, undertakings and properties of Harwell Hesco Electric Supply Co. Limited ("Harwell") was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Notice of Motion and Second Report of the Receiver filed, and on hearing the submissions of counsel for the Receiver and HSBC Bank Canada and such other counsel as were present, *the matter being undisputed - JWJ*.

1. THIS COURT ORDERS that the time for service of the Notice of Motion, the Second Report of the Receiver and the Motion Record is hereby abridged so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. THIS COURT ORDERS that the Second Report of the Receiver is hereby approved and the activities of the Receiver as set out therein be and hereby are approved.
3. THIS COURT ORDERS that the Receiver's Interim Statement of Receipts and Disbursements for the period March 2 to September 30, 2009 be and hereby is approved.
4. THIS COURT ORDERS that the proposed Scheme of Distribution set out in the Second Report of the Receiver be and hereby is approved.
5. THIS COURT ORDERS that nothing contained in the Second Report of the Receiver or this Order shall prejudice the rights of 1416088 Ontario Limited, carrying on business as Danbury Industrial, with respect to the claims that have been or may be advanced by it in the Action against Deloitte & Touche Inc. and HSBC Bank Canada, Court File No. CV-09-385806.

  
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HSBC BANK CANADA  
Applicant

-and-

HARWELL HESCO ELECTRIC SUPPLY CO. LIMITED  
Respondent

Court File No. CV-09-8035-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT  
TORONTO, ONTARIO

**ORDER**

**BAKER & McKENZIE LLP**

Barristers & Solicitors  
181 Bay Street, P.O. Box 874  
Suite 2100  
Toronto, Ontario  
M5J 2T3

J. Brian Casey (15895A)  
Tel: (416) 865-6979

David Gadsden (50749U)  
Tel: (416) 865-6983  
Fax: (416) 863-6275

Lawyers for the Receiver  
Deloitte & Touche Inc.