

I hereby certify this to be a true copy of the original.
[Signature]
for Clerk of the Court

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

**IN THE MATTER OF THE BANKRUPTCY AND INSOLVENCY ACT,
R.S.C. 1985, c. B-3, as amended**

**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGMENT ACT,
R.S.C 1985, c. C-36, as amended**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR
ARRANGMENT OF COW HARBOUR CONSTRUCTION LTD.**

BEFORE THE HONOURABLE JUSTICE)
K.D. YAMAUCHI IN CHAMBERS, LAW)
COURTS BUILDING, EDMONTON,)
ALBERTA)

ON FRIDAY, THE 25TH DAY OF JUNE,
2010.

ORDER


UPON the application of KMC Mining Corporation ("KMC"); AND UPON hearing read the Affidavit of Don Weatherbee, filed; AND UPON hearing the representations of counsel, including counsel for KMC, the Monitor, Cow Harbour Construction Ltd., ("Cow Harbour") the Chief Restructuring Advisor, the Royal Bank of Canada and BAL Global Finance Canada Corporation; IT IS HEREBY ORDERED AND DECLARED THAT:

1. KMC and the other two bidders who have been qualified to make binding offers for the assets of Cow Harbour are hereby entitled to obtain copies of the reports prepared by each of Ground Force Mechanical & Rental Services Ltd. ("Ground Force") and Cow Harbour in relation to the maintenance and repair services for the heavy equipment owned by Cow Harbour (the "Reports") upon counsel for KMC or the other two qualified bidders making a request to the Monitor for the Reports and who (1) provide an undertaking to counsel for the Monitor to keep the Reports confidential and use the same solely for discussions with their

client, and (2) confirm a similar commitment of confidentiality from their client, which covenant of confidentiality shall remain in effect until further Order of this Court.

2. Ground Force is hereby immune from any liability from any of the the three qualified bidders as it relates exclusively to the opinions contained in its report.
3. A determination as to whether Ground Force is immune from any liability from any other entity relating to its report ~~will~~ ^{may} be determined, on notice to Ground Force, at a later date.
4. The application to extend the time for filing a bid in compliance with the process contemplated in paragraph 1 of the Order of May 28, 2010 is hereby dismissed.

Entered this 2 day of July, 2010


CLERK OF THE COURT




J.C.C.Q.B.A.

Action No. 1003 05560
Bankruptcy No. 24-115359

2010

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ORDER

**EDWARD R. FEEHAN
Barrister & Solicitor
(780) 441-4314**

File #162-169643

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LAWYERS & MEDIATORS

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