

ONTARIO

SUPERIOR COURT OF JUSTICE

COMMERCIAL LIST

THE HONOURABLE) MONDAY, THE 7TH DAY
JUSTICE BROWN) OF MARCH, 2011

BETWEEN:

BANK OF MONTREAL

Applicant

- and -



FINANCIAL TRANSPORT INC., FREIGHTLINER OF KINGSTON INC.,
6181732 CANADA INC., GLOBAL TRANSPORT INSURANCE BROKERS INC.,
JAIN TRUCK LEASE LTD. and 2105810 ONTARIO INC.

Respondents

APPLICATION UNDER Section 243 of the *Bankruptcy and Insolvency Act*, R.S.C 1985, c. B-3,
and Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43.

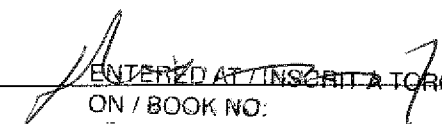
ORDER

THIS MOTION, made by Deloitte & Touche Inc., in its capacity as court appointed Receiver (the "**Receiver**") of the assets, undertakings and properties of Financial Transport Inc., ("**FTI**") Freightliner of Kingston Inc. ("**FKI**"), 6181732 Canada Inc., Global Transport Insurance Brokers Inc. ("**Global**"), Jain Truck Lease Ltd. and 2105810 Ontario Inc. (collectively the "**Debtors**") appointed pursuant to an Order dated February 4, 2010 (the "**Receivership Order**"), for an order, among other things, accepting and approving the Fifth Report of the


Receiver dated February 15, 2011 (the “**Fifth Report**”) and the Supplementary Report to the Fifth Report of the Receiver dated February 15, 2011 (the “**Supplement to the Fifth Report**”), and the activities of the Receiver and its counsel described therein, accepting and approving the Receiver’s interim statement of receipts and disbursements, sealing an agreement of purchase and sale, finding Hightech Diesel Repair Centre Inc. in contempt, and barring a claim of Crew Chief Conversions Ltd., was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Fifth Report and the Supplement to the Fifth Report, including the Exhibits thereto, and on hearing the submissions of counsel for the Receiver and counsel for the Debtors, and counsel for *Hightech*, no one else attending although properly served as appears from the affidavits of service filed,

1. **THIS COURT ORDERS** that that Fifth Report and the Supplement to the Fifth Report be and are hereby accepted and approved, along with the activities of the Receiver and its counsel described therein.
2. **THIS COURT ORDERS** that the Receiver’s Interim Statement of Receipts & Disbursements for the period December 1, 2010 to January 31, 2011, which Statement is attached as Exhibit “P” to the Fifth Report, be and is hereby accepted and approved.
3. **THIS COURT ORDERS** that the Supplemental Report to the Fifth Report of the Receiver dated February 15, 2011, be sealed until the completion of the sale transaction detailed therein or until further order of this Court.
4. **THIS COURT ORDERS** that the *Repair and Storage Lien Act* (“**RSLA**”) claim of Crew Chief Conversions Ltd. (“**Crew Chief**”) against the vehicle with the VIN number 1FUJBCK35LN64859 (the “**64859 Vehicle**”) is hereby declared to be barred and extinguished and the proceeds of sale in respect of the 64859 Vehicle shall be free and clear of any and all claims of Crew Chief.


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PER / PAM: 

BANK OF MONTREAL

- and -

**FINANCIAL TRANSPORT INC., FREIGHTLINER OF KINGSTON INC.,
6181732 CANADA INC., GLOBAL TRANSPORT INSURANCE BROKERS
INC., JAIN TRUCK LEASE LTD. and 2105810 ONTARIO INC.**

Applicant

Respondents

Court File No: CV-10-8556-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE**

(COMMERCIAL LIST)

Proceeding commenced at Toronto

ORDER

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