

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

No.: 500-11-041305-117

SUPERIOR COURT  
(Commercial Division)  
(sitting as a court designated pursuant to the  
*Companies' Creditors Arrangement Act*, R.S.C.  
1985, c. C-36, as amended)

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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

**MOTION FOR EXTENSION OF THE STAY PERIOD  
AND FOR ACCESS TO RESTRICTED CASH**  
(Sections 11 and 11.02 of the *Companies' Creditors Arrangement Act*, R.S.C., 1985)

TO THE HONOURABLE JUSTICE LOUIS J. GOUIN OR TO ONE OF THE  
HONOURABLE JUDGES OF THE SUPERIOR COURT, SITTING IN COMMERCIAL  
DIVISION IN AND FOR THE JUDICIAL DISTRICT OF MONTRÉAL, THE  
PETITIONERS RESPECTFULLY SUBMIT AS FOLLOWS:

## I. INTRODUCTION

1. On September 9, 2011, the Honourable Louis J. Gouin, J.S.C. issued an order (the “**Initial Order**”) pursuant to the *Companies Creditors’ Arrangement Act*, R.S.C. 1985, c. C-36 (the “**CCAA**”) in respect of Homburg Invest Inc. (“**HII**”), Homburg Shareco Inc. (“**Shareco**”), Churchill Estates Development Ltd., Inverness Estates Development Ltd. (“**Inverness**”) and CP Development Ltd. (collectively the “**Initial Debtors**”) as appears from the Court record;
2. Pursuant to the Initial Order, Samson Bélair/Deloitte & Touche Inc. (the “**Monitor**”) was appointed as Monitor of the Initial Debtors and a stay of proceedings (the “**Stay of Proceedings**”) was issued from the date of the Initial Order until October 7, 2011;
3. On October 7, 2011, this Court issued an order (the “**First Extension Order**”) extending the Stay of Proceedings. Since then, this Court has further extended the Stay of Proceedings, most recently until January 17, 2014 (the “**Stay Period**”), as appears from the Court record;
4. As appears from the Initial Order and the First Extension Order, the Stay of Proceedings was initially extended in favour of the following limited partnerships: Homco Realty Fund (52) Limited Partnership (“**Homco 52**”), Homco Realty Fund (88) Limited Partnership (“**Homco 88**”), Homco Realty Fund (89) Limited Partnership, Homco Realty Fund (92) Limited Partnership, Homco Realty Fund (94) Limited Partnership (“**Homco 94**”), Homco Realty Fund (105) Limited Partnership (“**Homco 105**”), Homco Realty Fund (121) Limited Partnership (“**Homco 121**”), Homco Realty Fund (122) Limited Partnership (“**Homco 122**”), Homco Realty Fund (142) Limited Partnership and Homco Realty Fund (199) Limited Partnership (collectively the “**Initial Mises-en-cause**”);
5. On May 31, 2012, this Court issued an order amending the Initial Order to add North Calgary Land Ltd. (“**NCLL**”) as a Petitioner and Homco Realty Fund (96) Limited Partnership (“**Homco 96**”) as an Applicant Partnership thereunder. On December 14, 2012, this Court issued a further order amending the Initial Order to add Homco Realty Fund (190) Limited Partnership (“**Homco 190**”) and Homco Realty Fund (191) Limited Partnership (“**Homco 191**”) as Applicant Partnerships;
6. By Order of the Court made on February 6, 2013, the Initial Order was further amended to add Homco Realty Fund (61) Limited Partnership (“**Homco 61**”) as an additional Applicant Partnership and Castello Development Ltd. (“**Castello**”) as a mise-en-cause. On March 14, 2013, the Initial Order was further amended to add Homburg Management (Canada) Inc. (“**HMCI**”) as an additional Petitioner. On April 26, 2013, this Court issued a further order amending the Initial Order to add Homco Realty Fund (83) Limited Partnership (“**Homco 83**”) as Applicant Partnership. Finally, on July 11, 2013, this Court discontinued the stay of proceedings in respect of Homco 122 and on September 30, 2013, this Court discontinued the stay of proceedings in respect of Inverness (NCLL, Homco 96, Homco 190, Homco 191, Homco 61, Castello, HMCI, Homco 83, the Initial Debtors and the Initial Mises-en-cause (excluding Homco 122 and Inverness) are collectively referred to as the “**HII Group**”);

7. The HII Group respectfully requests that this Honourable Court render the orders sought herein to extend the Stay Period until February 7, 2014 and to grant access to the required amount of Restricted Cash (as defined below);

## II. IMPLEMENTATION OF THE PLANS OF ARRANGEMENT

8. On May 30, 2013, affected creditors voted overwhelmingly in favour of the Second Joint Amended and Restated Plan of Compromise and Reorganization of HII and Shareco and the Restated Plan of Compromise of Homco 61 (the “**Homco 61 Plan**”);
9. On June 5, HII and Shareco filed a Third Amended and Restated Plan of Compromise and Reorganization (the “**HII/Shareco Plan**” and together with the Homco 61 Plan, the “**Plans**”);
10. On June 5, 2013, this Honourable Court sanctioned the Plans, as appears from the Court record. The HII Group, the Monitor and their advisors have been working diligently in order to allow for the implementation of the transactions which will occur on Plan Implementation Date (as defined in the Plans);
11. As detailed below, the HII Group, the Monitor and their respective advisors are working to finalize and execute all arrangements and consents required to implement the Plans, the whole with a view to proceeding to implementation of the Plans as soon as possible;

### A. *Geneba licence application*

12. As previously reported to the Court, the entity identified as Newco in the Plans was incorporated as Geneba Properties N.V. (“**Geneba**”) under the laws of the Netherlands in July 2013. Dutch counsel for HII and Geneba have been in regular discussions with, and have submitted numerous documents to, the Dutch Autoriteit Financiële Markten (“**AFM**”) regarding the application for a licence as a property investment company;
13. As also previously disclosed to the Court, in light of the enactment on July 22, 2013 of the European Alternative Investment Fund Managers Directive and of the three Level 2 Regulations supplementing it, the HII Group and Geneba had to amend certain documents already filed and file some additional documents;
14. There has been regular and continuous communication between the HII Group, the Monitor, Geneba and the AFM to advance the issuance of the required licence;
15. Since the Sixteenth Extension Order was granted on December 2, 2013, HII received questions from the Dutch central Bank on December 16, 2013. HII replied to the questions the next day;
16. On December 17, 2013, the Monitor, together with representatives of Geneba and their respective counsel, met with representatives of the AFM to further answer any questions the AFM had with regard to Geneba’s licence application;
17. HII was subsequently advised by the AFM that it would not issue a licence to Geneba

prior to the end of 2013. This was communicated by HII to its creditors and other stakeholders by way of a press release issued on December 23, 2013, a copy of which is filed in support hereof as **Exhibit P-1** (the “**Press Release**”);

18. The AFM subsequently requested further clarification on certain issues it had previously raised. HII, Geneva, the Monitor and their respective advisors provided the required information to the AFM on January 13, 2014. As of the date hereof, all outstanding questions have been answered and all supporting documents provided;
19. As indicated in the Press Release, in light of their correspondence with representatives of the AFM, HII, the Monitor and Geneva are confident that a licence will be granted by the AFM in early 2014;

**B. *Pre-closing in advance of Plan Implementation Date***

20. HII is actively working on finalizing all aspects of plan implementation under its control, with a view of being able to proceed as quickly as possible once the necessary external approvals are obtained. The vast majority of documents required to implement the Plans have now been signed;
21. On or about November 28, 2013, the HII Group conducted a pre-closing session wherein most documents required to implement the Plans were signed and retained in escrow pending Plan Implementation Date. This is a significant milestone considering the fact that there are multiple parties involved and that the consolidated closing agenda contains in excess of 800 items;

**III. OPERATIONS AND RESTRUCTURING EFFORTS**

22. Since the last extension of the Stay Period, the HII Group has continued to make significant progress. Highlights of the most significant activities of the HII Group are provided below. The HII Group refers the stakeholders and the Court to the Thirtieth Report of the Monitor to be filed in support of the present motion (the “**Monitor’s Thirtieth Report**”) for a complete description of these activities;

**A. *Loan portfolio***

23. As previously disclosed to the Court, HII and its advisors sought and obtained extensions of the outside dates for Plan Implementation Date referenced in the loan agreements with certain mortgage lenders, namely HSH Nordbank AG and Falcon Private Bank Ltd. As well, HII and its advisors are in constant communication with Skandinaviska Enskilda Banken AB (“**SEB**”); it is currently expected that the agreements with SEB will be finalized in the weeks following the issuance of the licence by the AFM;

**B. *Dispositions of non-core properties***

24. As previously disclosed to the Court, HSBC Bank Canada (“**HSBC**”) financed four properties in Canada: Henderson Farms (Homco 121), Kai Mortensen Towers (Homco 88), Cristal Towers (Homco 105), and Points North (NCLL);
25. With respect to Kai Mortensen Towers, on November 18, 2013 this Honourable Court issued the Order authorizing sale of Kai Towers and vesting order, in the Court record. That sale closed on December 19, 2013. HSBC was fully paid out in respect of this property, accordingly it is now financing three properties in Canada;
26. As regards Points North and Cristal Towers, sales processes are ongoing and any sale is subject to the approval of this Court. HSBC is kept informed of any material developments in the ongoing sale processes;
27. As to Henderson Farms, as previously disclosed to the Court, Homburg Canada Inc. has raised certain issues relating to the property. Discussions as to the best course of action are ongoing and the Court will be kept apprised of any developments;
28. Highlights with respect to other properties located in North America are as follows:
  - (a) The sales processes for Homburg Springs East (Homco 52) and Homburg Springs West (Homco 94) are ongoing;
  - (b) Castello stills holds one condominium unit which is currently on the market;
  - (c) Homburg Holdings (U.S.) Inc. (“**HHUS**”) is continuing to market four properties located in Colorado Springs. As previously disclosed to the Court, the HII Group received offers for these properties, which it is currently handling with the Monitor’s assistance. As well, HHUS closed the sale of the last property remaining in Texas on December 23, 2013;
29. The process relating to sale of non-core properties in Canada and the United States, and any related issues, will not have any impact the Plan Implementation Date;
30. As will more fully appear from the Monitor’s Thirtieth Report, the HII Group is continuing to diligently review its structure as and when appropriate;

**C. *Litigation with Homburg Canada Inc.***

31. As appeared from the Motion for access to Restricted Cash dated December 16, 2013, in the Court record, litigation relating to diversion of HII funds and involving Homburg International Limited, Homburg Realty Services (U.S.) Inc. and certain related entities (collectively, the “**HCI Group**”) was commenced in Nova Scotia and Barbados. Since that date, the HCI Group has also instituted proceedings in Colorado. HII will advise the Court of any significant development;

#### IV. ACCESS TO RESTRICTED CASH

32. On January 20, 2012, this Honourable Court rendered a judgment authorizing the sale of Canmarc REIT units (the “**REIT Units**”) held by Homco Realty Fund (199) L.P. (the “**REIT Units Sale Order**”). As previously disclosed, the REIT Units were sold and resulted in proceeds of approximately \$145 million (the “**REIT Units Proceeds**”);
33. The REIT Units Sale Order provided that HII shall be entitled to have access to the REIT Units Proceeds for an amount of up to \$10 million (the “**Accessible Cash**”) for the purposes of funding the liquidity requirements of the HII Group during its restructuring under the CCAA and that all further funding requirements are to be approved by further order of this Honourable Court;
34. As of the date hereof, the REIT Units Proceeds, less the Accessible Cash and the commission paid to HII’s financial advisor pursuant to the REIT Units Sale Order, constitute restricted cash (the “**Restricted Cash**”);
35. In light of liquidity requirements, this Honourable Court authorized the HII Group to access additional amounts of Restricted Cash, totalling \$47.635 million, as follows:
  - (a) \$6 million on April 11, 2012;
  - (b) \$11 million on May 31, 2012;
  - (c) \$5.2 million on July 18, 2012;
  - (d) \$3 million on September 14, 2012;
  - (e) \$8.1 million on October 10, 2012;
  - (f) \$4.95 million on August 29, 2013;
  - (g) \$6.8 million on September 30, 2013; and
  - (h) \$2.585 million on December 18, 2013;
36. The HII Group’s estimated liquidity requirements for the period ending February 7, 2014 are such that, in light of the circumstances described above, access to an additional amount of Restricted Cash will be required, namely an estimated sum of approximately \$3.3 million, in order to have sufficient liquidity to pursue its restructuring efforts and meet its ongoing obligations, without using alternate sources of financing, as will appear from HII’s the Monitor’s Thirtieth Report to be filed in support of this motion;
37. In light of the foregoing, it is respectfully requested that this Honourable Court authorize HII to have access to an incremental amount of up to \$3.3 million of Restricted Cash to allow it to continue its operations and ultimately implement the Plans, the whole in the best interest of its stakeholders;

**V. CONCLUSION**

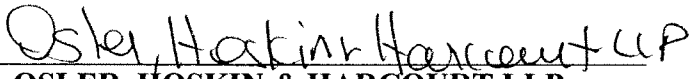
38. HII is of the view that providing the relief requested herein is appropriate in the present circumstances. Accordingly, HII respectfully requests that this Honourable Court render the orders contained in the conclusions herein;
39. As will appear from the Monitor's Thirtieth Report, the Monitor supports the present Motion;
40. The HII Group has acted, and continues to act, in good faith and with the utmost diligence;
41. The present motion is well founded in fact and law.

**WHEREFORE, MAY IT PLEASE THIS HONOURABLE COURT TO:**

1. **GRANT** the present *Motion for extension of the stay period and access to Restricted Cash* (the "**Motion**");
2. **EXTEND** the Stay Period (as defined in the Initial Order rendered by the Court on September 9, 2011 and as extended from time to time) to and including February 7, 2014;
3. **ORDER** that Homburg Invest Inc. shall be entitled to have access to an incremental amount of up to \$3,300,000 (three million three hundred thousand dollars) of the Restricted Cash for the purposes of funding the liquidity requirements of the HII Group during its restructuring under the *Companies Creditors' Arrangement Act*, R.S.C. 1985, c. C-36; all further funding requirements to be approved by further order of the Court;

**THE WHOLE WITHOUT COSTS**, save in the event of contestation.

MONTRÉAL, January 15, 2014

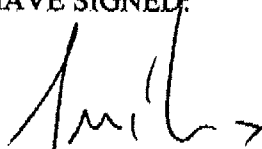
  
**OSLER, HOSKIN & HARCOURT LLP**  
Attorneys for the Debtors and Mises-en-cause

**AFFIDAVIT**

I the undersigned, James F. Miles, domiciled and residing at 29 Coventry Lane, Dartmouth, Nova Scotia, B2V 2K2, solemnly declare the following:

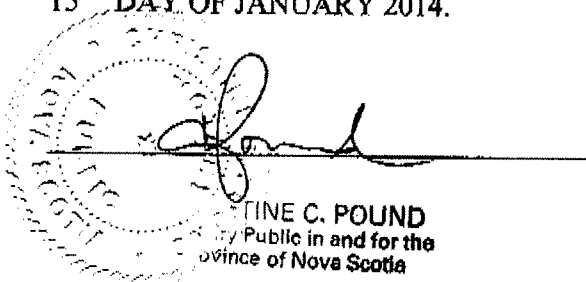
- 1. I am the Vice-President and Chief Financial Officer of Homburg Invest Inc. and duly authorized representative of the Petitioners for the purpose hereof;
- 2. I have taken cognizance of the attached *Motion for extension of the stay period and access to Restricted Cash*;
- 3. All of the facts alleged in the said motion are true.

AND I HAVE SIGNED:



James F. Miles

SOLEMNLY DECLARED BEFORE ME  
IN HALIFAX, NOVA SCOTIA ON THE  
15<sup>TH</sup> DAY OF JANUARY 2014.



CHRISTINE C. POUND  
Notary Public in and for the  
Province of Nova Scotia



**ATTESTATION OF AUTHENTICITY**  
(Article 82.1 of the *Code of Civil Procedure*, R.S.Q. c. C-25)

I, the undersigned, Julien Morissette, attorney, exercising my profession at Osler, Hoskin & Harcourt LLP, situated at 1000 De La Gauchetière Street West, Suite 2100, Montréal, Québec, solemnly declare the following:

1. I am one of the attorneys of the Petitioners to the present *Motion for extension of the stay period and access to Restricted Cash* in Court file number 500-11-041305-117;
2. On January 15<sup>th</sup>, 2014 at 2:43 p.m. (Montréal time), Osler, Hoskin & Harcourt LLP received by fax the Affidavit of Jamie Miles, a duly authorized representative of the Petitioners, dated the same day;
3. The copy of the Affidavit attached hereto is a true copy of the Affidavit of Jamie Miles received by fax from Christine Pound from the city of Halifax, Nova Scotia from fax number 902-420-1417;
4. All of the facts alleged herein are true.

AND I HAVE SIGNED:



**Julien Morissette**

SOLEMNLY DECLARED BEFORE ME  
IN MONTRÉAL, QUÉBEC  
ON THE 15<sup>TH</sup> DAY OF JANUARY 2014.

  
COMMISSIONER OF OATHS  
FOR THE PROVINCE OF QUÉBEC



## NOTICE OF PRESENTATION

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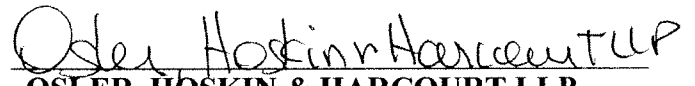
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**TAKE NOTICE** that the *Motion for extension of the stay period and access to Restricted Cash* will be presented for hearing and allowance in the Superior Court, commercial division, at the Montréal Courthouse, 1 Notre-Dame Street East, Montréal, on January 17, 2014, at 9:15 a.m., or so soon thereafter as counsel may be heard, and in a room to be announced.

**PLEASE ACT ACCORDINGLY.**

MONTREAL, January 15, 2014

  
**OSLER, HOSKIN & HARCOURT LLP**  
Attorneys for the Debtors and Mises-en-cause

**CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL**

No.: 500-11-041305-117

**SUPERIOR COURT**  
(Commercial Division)

(sitting as a court designated pursuant to the  
*Companies' Creditors Arrangement Act*, R.S.C.  
1985, c. C-36, as amended)

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**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-

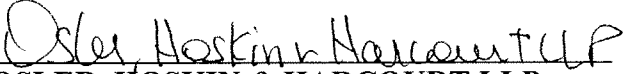
**Samson Bélair/Deloitte & Touche Inc.**

**Monitor**

<p><b>LIST OF EXHIBIT</b></p>
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EXHIBIT P-1: Press release issued on December 23, 2013;

MONTRÉAL, January 15, 2014

  
**OSLER, HOSKIN & HARCOURT LLP**  
Attorneys for the Debtors and Mises-en-cause

**EXHIBIT P-1**

Press release issued on December 23, 2013

## Homburg Invest provides update on restructuring process

/NOT FOR DISTRIBUTION TO UNITED STATES NEWSWIRE SERVICES OR FOR DISSEMINATION IN THE UNITED STATES/

MONTREAL, Dec. 23, 2013 /CNW Telbec/ - Homburg Invest Inc. ("**Homburg Invest**" or the "**Company**") today provided an update to its creditors on the Company's restructuring process under the Canadian *Companies' Creditors Arrangement Act* ("**CCAA**"), including revised timing regarding the implementation of the Third Amended and Restated Plan of Compromise and Reorganization of Homburg Invest Inc. and Homburg Shareco Inc. (the "**Plan**").

### Plan Implementation

As disclosed in greater detail in the Plan and in previous news releases, there are numerous conditions precedent to implementation of the Plan. The principal remaining condition is the issuance of a licence from the Dutch securities regulator, the *Autoriteit Financiële Markten* (the "**AFM**").

#### *AFM licence application*

As previously disclosed, in light of the enactment on July 22, 2013 of the European Alternative Investment Fund Managers Directive and of the three Level 2 Regulations supplementing it, Homburg Invest and Geneba Properties N.V. ("**Geneba**") were required to amend certain documents already filed with the AFM and to file additional documents regarding the application of Geneba for a licence as a property investment company in the Netherlands. This was completed by September 5, 2013.

Following the completion of the licence application, Homburg Invest, the Monitor and Geneba, have been in regular communication with the AFM and the Dutch Central Bank (*De Nederlandsche Bank* "**DNB**"), including meeting with representatives of the AFM to respond to their questions with regard to Geneba's licence application. The ongoing application process has taken more time than originally anticipated and the AFM indicated that it will not be issuing a licence to Geneba before the end of 2013. However, in light of their correspondence with representatives of the AFM, Homburg Invest, the Monitor and Geneba are confident that a licence will be granted by the AFM in early 2014.

As a result of the delay in the license application process, the implementation of the Plan will not occur in 2013. Although the Company is taking all steps to complete all conditions precedent as quickly as possible, including cooperating fully with the AFM and DNB application process, there can be no assurance as to the timing of implementation of the Plan.

#### *Discussions with mortgage lenders*

Further to the developments regarding the timing of the implementation of the Plan, Homburg Invest has begun seeking the required extensions from certain of the mortgage lenders for whom a Plan implementation on or prior to December 31, 2013 was a condition precedent. At this time, Homburg Invest has received the necessary consent from two of its mortgage lenders and the Company and the Monitor expect to be able to obtain all other required consents.

More information about the CCAA restructuring process can be found on the Company's website at <http://www.homburginvest.com/> as well as on the Monitor's website at <http://www.deloitte.com/ca/homburg-invest>.

### About Homburg Invest

Homburg Invest owns a diversified portfolio of commercial real estate including office, retail, industrial and development properties throughout Canada, Europe and the United States.

### Forward-Looking Statements

*This press release contains forward-looking information within the meaning of Canadian securities legislation. Forward-looking information or statements can be identified by use of forward-looking words such as "will", "expected" or the negative thereof or similar variations. The actual outcome of the events described using these statements could differ materially from that expressed or implied by such statements. Such statements are qualified in their entirety by the inherent risks and uncertainties surrounding future expectations. Some important factors that could cause actual results to differ materially from expectations include, among other things, the outcome of the ongoing restructuring process, delays in the CCAA proceedings, general economic and market factors, changes in government regulation and the factors described from time to time in the documents filed by Homburg Invest with the securities regulatory authorities in Canada including, in particular, the information circular sent by Homburg Invest to its creditors, a copy of which is also available on SEDAR at [www.sedar.com](http://www.sedar.com). This cautionary statement qualifies all forward-looking statements attributable to Homburg Invest and persons acting on its behalf. Unless otherwise stated or required by applicable law, all forward-looking statements speak only as of the date of this press release and Homburg Invest disclaims any obligation to update such statements.*

SOURCE: Homburg Invest

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CO: Homburg Invest

CNW 10:00e 23-DEC-13

No: 500-11-041305-117

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**SUPERIOR COURT**  
(Commercial Division)

DISTRICT OF MONTRÉAL

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

**HOMBURG INVEST INC. & AL.**

**Debtors/Petitioners**

**-and-**

**HOMCO REALTY FUND (S2) LIMITED  
PARTNERSHIP ET AL.**

**Mises-en-cause**

**-and-**

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.**

**Monitor**

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**MOTION FOR EXTENSION OF THE STAY PERIOD AND  
ACCESS TO RESTRICTED CASH (Sections 11 and 11.02 of the  
*Companies' Creditors Arrangement Act*, R.S.C., 1985),  
AFFIDAVIT, ATTESTATION OF AUTHENTICITY, NOTICE  
OF PRESENTATION, LIST OF EXHIBIT, EXHIBIT P-1**

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**ORIGINAL**

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