

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
NO: 500-11-041305-117
DATE: October 10, 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

**ORDER GRANTING SEVENTH EXTENSION, ACCESS TO RESTRICTED CASH
and AMENDING INITIAL ORDER (Coverage of Administration Charge)**

[1] The Petitioners present a *Motion to extend the stay period, for access to restricted cash and to amend the Initial Order* dated October 4, 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 Sixteenth Report dated October 6, 2012;

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

FOR THESE REASONS, THE COURT:

[5] **GRANTS** the present *Motion to extend the stay period, for access to restricted cash and to amend the Initial Order* (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 December 14, 2012, the whole subject to the terms of the Initial Order, as amended;

[8] **DECLARES** that as of the date of this order, the following paragraph 42.A shall be added to the Initial Order:

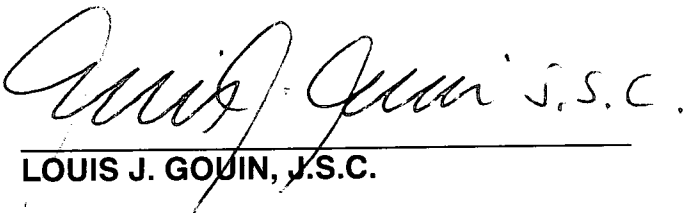
[42.A] **DECLARES** that Samson Bélair/Deloitte & Touche Inc. or any third party acting as bankruptcy trustee or in a similar capacity (the "**Bankruptcy Trustee**") to any Applicant Partnership or other limited partnership in which the Petitioners have a direct or indirect interest (the "**Partnerships**") or to any direct or indirect subsidiary of the Partnerships (the "**Subsidiaries**") as well as their respective legal counsel, as security for the professional fees, disbursements and other obligations of the Bankruptcy Trustee, incurred in respect of the bankruptcies of the Partnerships and the Subsidiaries, be entitled to the benefit of the Administration Charge.

[9] **ORDERS** that HII shall be entitled to have access to an incremental amount of up to \$8,100,000 (eight million one hundred thousand 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;

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

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

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



LOUIS J. GOVIN, J.S.C.

Hearing date : October 10, 2012

Me Martin Desrosiers

Me Sandra Abitan

Me Julien Morissette

Osler, Hoskin & Harcourt LLP

Counsel to Petitioners