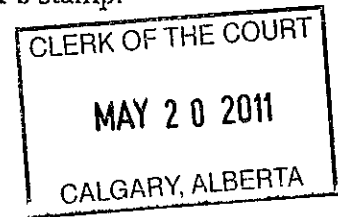


Clerk's stamp:



COURT FILE NUMBER: 1001-03215

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE OF CALGARY

PLAINTIFF: FIRST CALGARY SAVINGS & CREDIT UNION LTD.

DEFENDANTS: PERERA SHAWNEE LTD., PERERA DEVELOPMENT CORPORATION, DON L. PERERA and SHIRANIE M. PERERA

PLAINTIFFS BY COUNTERCLAIM PERERA SHAWNEE LTD., DON L. PERERA and SHIRANIE M. PERERA

DEFENDANTS BY COUNTERCLAIM FIRST CALGARY SAVINGS & CREDIT UNION LTD. and DELOITTE & TOUCHE LLP

DOCUMENT: CONSENT ORDER

(Re: Variation of Vesting Order (Re: Purchase by Allibhai of Legal Unit 38))

**OSLER, HOSKIN & HARCOURT LLP**

Barristers & Solicitors

Suite 2500, 450 – 1st Street SW

Calgary, AB T2P 5H1

Solicitor: Christa Nicholson

Telephone: (403) 260-7025

Facsimile: (403) 260-7024

File Number: 1121689

DATE ON WHICH ORDER WAS PRONOUNCED: May 20, 2011

NAME OF JUDGE WHO MADE THIS ORDER: M. R. BAST

CONSENT ORDER

(Re: Variation of Vesting Order  
(Re: Purchase by Allibhai of Legal Unit 38))

UPON THE application of Deloitte & Touche Inc. (the "Receiver"), in its capacity as Court-appointed receiver and manager of Perera Development Corporation ("PDC") and Perera Shawnee Ltd. ("PSL", or when reference is being made to PDC and PSL collectively, the "Debtors"), and not in its personal capacity; AND UPON noting the Order issued by Madam Justice A. Kent on March 3, 2010, as amended and restated (the "Receivership Order"); AND UPON noting the Vesting Order (Re: Purchase by Allibhai of Legal Unit 38) (the "Unit 38 Vesting Order") granted in these Proceedings November 29, 2010 that directed, among other things: (1) the Receiver to transfer the unit in Condominium Plan 0915321 described in the Unit 38 Vesting Order (the "Unit") from PSL to the Purchaser as defined therein; (2) the Registrar of the South Alberta Land Titles Office to cancel the certificate of title to the Unit, issue a New Title (as defined in the Unit 38 Vesting Order) to the Unit in the name of the Purchaser, and discharge the Listed Encumbrances (as defined in the Unit 38 Vesting Order) from the New Title; and (3) the holding of Net Proceeds (as defined in the Unit 38 Vesting Order) resulting from the sale of the Unit by the Receiver until further order allowing for a disbursement of the Net Proceeds is issued; AND UPON noting the Order (Re: Distribution of Funds) granted by Madam Justice A. Kent on January 31, 2011 (the "Distribution Order") that provided for the distribution of the Net Proceeds in the priority and manner set forth therein; AND UPON noting the Order (Re: Distribution of Funds to the Plaintiff) granted by Madam Justice A. Kent on May 5, 2011 that, among other things, declared the Security of the Plaintiff valid, binding and ranking as first charge on the Assets in priority to the interests of PDC, PSL and all other parties with encumbrances registered against the Assets (as those terms are defined in the Order Re: Distribution of Funds of the Plaintiff); AND UPON noting that, following the granting of the Unit 38 Vesting Order, on December 1, 2010, a builder's lien (the "Lien") was registered by Estate Hardwood Floors Corp. ("Estate Hardwood") under registration number 101 350 204 against the certificate of title to 69 units in Condominium Plan 0915321, including title to the Unit; AND UPON noting that Grant Thornton Limited was appointed as receiver of Estate Hardwood (the "Receiver of Estate Hardwood") pursuant to the Order granted by the Honourable Mr. Justice Morawetz in the Ontario Superior Court of Justice on February 24, 2011; AND UPON noting the filed Certificate of Title to the Unit; AND UPON hearing from counsel

for the Receiver; **AND UPON** noting the consent to this Order of counsel for the Plaintiff First Calgary Savings & Credit Union Ltd and counsel for the Receiver of Estate Hardwood; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. Schedule "B" to the Unit 38 Vesting Order referred in paragraph 7 (c) of the Unit 38 Vesting Order is hereby removed and deleted and is replaced with an amended Schedule "B", a copy of which is attached hereto and which shows in red underlining on page 3 thereof the addition of the Lien. In all other respects, the Unit 38 Vesting Order shall remain unchanged and in full force and effect. For greater certainty, the Lien falls within the definition of "Listed Encumbrances" referred to in Paragraph 7(c) of the Unit 38 Vesting Order.
2. For greater certainty, the Net Proceeds from the sale of the Unit are subject to the Distribution Order and the Lien is included in the definition of "Encumbrances" referred to in paragraph 2(d)(i) of the Distribution Order.
3. This Order may be consented to in counterpart and by facsimile or other electronic means.

**CONSENTED TO** May 19, 2011

**BORDEN LADNER GERVAIS LLP**

By: \_\_\_\_\_

Josef Kruger  
Counsel for First Calgary Savings & Credit Union Ltd.

**CONSENTED TO** May \_\_\_\_\_, 2011

**THORNTON GROUT FINNIGAN**

By: \_\_\_\_\_

Leanne Williams  
Counsel for Grant Thornton Limited

for the Receiver; **AND UPON** noting the consent to this Order of counsel for the Plaintiff First Calgary Savings & Credit Union Ltd and counsel for the Receiver of Estate Hardwood; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. Schedule "B" to the Unit 38 Vesting Order referred in paragraph 7 (c) of the Unit 38 Vesting Order is hereby removed and deleted and is replaced with an amended Schedule "B", a copy of which is attached hereto and which shows in red underlining on page 3 thereof the addition of the Lien. In all other respects, the Unit 38 Vesting Order shall remain unchanged and in full force and effect. For greater certainty, the Lien falls within the definition of "Listed Encumbrances" referred to in Paragraph 7(c) of the Unit 38 Vesting Order.
2. For greater certainty, the Net Proceeds from the sale of the Unit are subject to the Distribution Order and the Lien is included in the definition of "Encumbrances" referred to in paragraph 2(d)(i) of the Distribution Order.
3. This Order may be consented to in counterpart and by facsimile or other electronic means.

**CONSENTED TO** May \_\_\_\_, 2011

**BORDEN LADNER GERVAIS LLP**

By: \_\_\_\_\_

Josef Kruger  
Counsel for First Calgary Savings & Credit Union Ltd.

**CONSENTED TO** May 20, 2011

**THORNTON GROUT FINNIGAN**


By: \_\_\_\_\_

Leanne Williams  
Counsel for Grant Thornton Limited

CONSENTED TO May 20, 2011

OSLER, HOSKIN & HARCOURT LLP

By: \_\_\_\_\_

  
Christa Nicholson  
Counsel for Deloitte & Touche Inc.

  
\_\_\_\_\_  
J.C.Q.B.A.

**SCHEDULE "B" TO THE VESTING ORDER**

**LISTED ENCUMBRANCES AS TO THE CONDOMINIUM UNIT**

<b>REGISTRATION NUMBER</b>	<b>DATE (D/M/Y)</b>	<b>PARTICULARS</b>
071 422 840	23/08/2007	MORTGAGE MORTGAGEE - FIRST CALGARY SAVINGS & CREDIT UNION LTD.
071 422 841	23/08/2007	CAVEAT RE : ASSIGNMENT OF RENTS AND LEASES CAVEATOR - FIRST CALGARY SAVINGS & CREDIT UNION LTD.
101 062 567	03/03/2010	BUILDER'S LIEN LIENOR - PRECISION ALUMINUM MANUFACTURING INC..
101 063 343	03/03/2010	BUILDER'S LIEN LIENOR - EMCO CORPORATION.
101 067 936	08/03/2010	BUILDER'S LIEN LIENOR - 759450 ALBERTA LTD. O/A INTERIOR FINISHING.
101 067 938	08/03/2010	BUILDER'S LIEN LIENOR - C. & T. REINFORCING STEEL CO. (ALBERTA) LTD..
101 069 174	09/03/2010	BUILDER'S LIEN LIENOR - ADLER FIRESTOPPING LTD..
101 071 142	10/03/2010	BUILDER'S LIEN LIENOR - COAST WHOLESALE APPLIANCES GP INC..
101 071 143	10/03/2010	BUILDER'S LIEN LIENOR - THE FINISHING CENTRE LTD..
101 072 838	11/03/2010	BUILDER'S LIEN LIENOR - MODERN INDUSTRIAL RENTALS (1978) LTD..
101 072 839	11/03/2010	BUILDER'S LIEN LIENOR - UNITED RENTALS OF CANADA, INC..
101 075 229	15/03/2010	BUILDER'S LIEN LIENOR - 1412705 ALBERTA LIMITED.
101 075 230	15/03/2010	BUILDER'S LIEN LIENOR - JMMK PLUMBING & HEATING INC..

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
101 075 235	15/03/2010	BUILDER'S LIEN LIENOR – GLOBAL STONE INC..
101 075 236	15/03/2010	BUILDER'S LIEN LIENOR – NOVASTONE INC..
101 081 785	22/03/2010	BUILDER'S LIEN LIENOR – CANNEX CONTRACTING 2000 INC..
101 085 868	24/03/2010	BUILDER'S LIEN LIENOR – NORDSTAR KITCHENS LTD..
101 088 872	26/03/2010	BUILDER'S LIEN LIENOR – DOMENICO FANELLI
101 089 785	29/03/2010	BUILDER'S LIEN LIENOR – ALUMA SYSTEMS INC..
101 099 544	08/04/2010	BUILDER'S LIEN LIENOR – DISTINCTIVE FLOORS LTD..
101 100 273	08/04/2010	BUILDER'S LIEN LIENOR – RIDGELINE SHEET METAL INC..
101 100 274	08/04/2010	ORDER IN FAVOUR OF – DELOITTE & TOUCHE INC..
101 210 310	15/07/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101069174
101 232 253	06/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101075229
101 232 254	06/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101063343
101 235 115	09/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101085868
101 244 689	17/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101099544
101 244 766	17/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101072839
101 250 899	23/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101067938
101 256 920	27/08/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101067936
101 261 640	01/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101081785

<b>REGISTRATION NUMBER</b>	<b>DATE (D/M/Y)</b>	<b>PARTICULARS</b>
101 269 084	09/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101075230
101 269 130	09/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101075236
101 269 242	09/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101075235
101 281 039	21/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101088872
101 281 854	22/09/2010	BUILDER'S LIEN LIENOR – ALUMA SYSTEMS INC..
101 283 672	23/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101089785
101 283 673	23/09/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101281854
101 295 723	05/10/2010	CERTIFICATE OF LIS PENDENS AFFECTS INSTRUMENT: 101100273
<u>101 350 204</u>	<u>01/12/2010</u>	<u>BUILDER'S LIEN</u> <u>LIENOR – ESTATE HARDWOOD FLOORS CORP.</u>