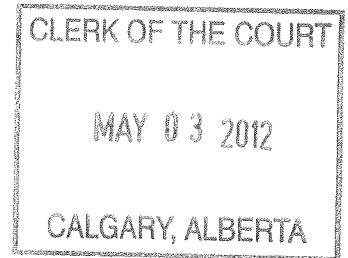


I hereby certify this to be a true copy of  
the original Order  
Dated this 3 day of May 2012  
for Clerk of the Court.



Clerk's stamp:

COURT FILE NUMBER 25-1395703

COURT COURT OF QUEEN'S BENCH OF ALBERTA,  
IN BANKRUPTCY

JUDICIAL CENTRE CALGARY

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

AND IN THE MATTER OF CHOCOLATERIE  
BERNARD CALLEBAUT PARTNERSHIP

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT BLAKE, CASSELS & GRAYDON LLP  
3500, 855 – 2<sup>nd</sup> Street S.W.  
Calgary, AB T2P 4J8  
Attention: Kelly Bourassa  
Telephone/Facsimile: 403-260-9697/403-260-9700  
Email: [kelly.bourassa@blakes.com](mailto:kelly.bourassa@blakes.com)  
File Ref.: 38358/96

**DATE ON WHICH ORDER WAS PRONOUNCED:** April 13, 2012

**LOCATION WHERE ORDER WAS PRONOUNCED:** Justice Chambers


**NAME OF JUSTICE WHO MADE THIS ORDER:** Madam Justice B.E. Romaine

UPON the application of Deloitte & Touche Inc. ("**Deloitte**"), in its capacity as trustee (the "**Trustee**") of the bankrupt estate of Chocolaterie Bernard Callebaut Partnership (the "**Partnership**"), AND UPON having read the First Report of the Trustee, dated January 30, 2012 (the "**Trustee's Report**"), filed; AND UPON having read the Affidavit of Service of Carol Benish, filed; AND UPON HEARING counsel for the Trustee and other interested parties;

**IT IS HEREBY ORDERED AND DIRECTED THAT:**

1. Service of the Application is hereby abridged, if necessary, such that the Application was properly returnable March 8, 2012 and, further, that any requirement for service of the Application upon any party not served is hereby dispensed with.

2. The Trustee is directed to postpone payment of any dividend or further dividends, as the case may be, from the bankrupt estate of the Partnership (the "Dividend") to Bernard Callebaut ("Mr. Callebaut") or Invesco Mortgage Inc., in its capacity as the holder of a general security agreement over the assets of Mr. Callebaut, ("Invesco") pending the outcome of the creditor disallowance process or further order of this Court.
3. The Trustee shall not set-off the \$50,000.00 fine for the benefit of the unsecured creditors (the "Damages") levied against Bernard and Francesca Callebaut ("B & F Callebaut") by Order of this Honourable Court on March 24, 2011 (the "Contempt Order") as against any Dividend Mr. Callebaut or Invesco may ultimately be entitled to receive.
4. Neither Mr. Callebaut nor Invesco is entitled to participate in any Dividend unless and until the Damages are satisfied in full.
5. The Trustee may set-off the remainder of the fines levied against B & F Callebaut by the Contempt Order, excluding the Damages, as against any Dividend Mr. Callebaut or Invesco may ultimately be entitled to receive.
6. Approval of this order may be in counterparts and sent by way of facsimile or electronic transmission.

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

APPROVED AS TO THE ORDER  
GRANTED  
This \_\_\_ day of April, 2012

APPROVED AS TO THE ORDER  
GRANTED  
This 20 day of April, 2012

\_\_\_\_\_  
NORTON ROSE CANADA LLP  
Per: HOWARD GORMAN  
Counsel for Cococo Chocolatiers Inc.

  
\_\_\_\_\_  
GOWLING LAFLEUR HENDERSON LLP  
Per: PETER S. JULL  
Counsel for Invesco Mortgage Inc.

APPROVED AS TO THE ORDER  
GRANTED  
This \_\_\_ day of April, 2012

\_\_\_\_\_  
BERNARD CALLEBAUT  
31036134.5


2. The Trustee is directed to postpone payment of any dividend or further dividends, as the case may be, from the bankrupt estate of the Partnership (the "Dividend") to Bernard Callebaut ("Mr. Callebaut") or Invesco Mortgage Inc., in its capacity as the holder of a general security agreement over the assets of Mr. Callebaut, ("Invesco") pending the outcome of the creditor disallowance process or further order of this Court.
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6. Approval of this order may be in counterparts and sent by way of facsimile or electronic transmission.

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

APPROVED AS TO THE ORDER  
GRANTED  
This 26 day of April, 2012

APPROVED AS TO THE ORDER  
GRANTED  
This \_\_\_ day of April, 2012

Aaron  
Stephenson  
For

  
\_\_\_\_\_  
NORTON ROSE CANADA LLP  
Per: HOWARD GORMAN  
Counsel for Cococo Chocolatiers Inc.

\_\_\_\_\_  
GOWLING LAFLEUR HENDERSON LLP  
Per: PETER S. JULL  
Counsel for Invesco Mortgage Inc.

APPROVED AS TO THE ORDER  
GRANTED  
This \_\_\_ day of April, 2012

\_\_\_\_\_  
BERNARD CALLEBAUT  
31036134.5