

**SUPERIOR COURT
(Commercial Division)**

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
No.: 500-11-041305-117

Date: February 24, 2017

PRESIDING: THE HONOURABLE LOUIS J. GOUIN, J.S.C.

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

**1810040 ALBERTA LTD. (formerly known as HOMBURG
INVEST INC. and HOMBURG SHARECO INC.)**

-and-

CHURCHILL ESTATES DEVELOPMENT LTD. et al.,

Debtors

-and-

NORTON ROSE FULBRIGHT CANADA LLP,

Respondent

-and-

DELOITTE RESTRUCTURING INC.,

Monitor / Applicant

-and-

THE OWNERS: CONDOMINIUM PLAN 0713076,

Mis-en-Cause

**ORDER ON THE APPLICATION FOR THE PAYMENT TO THE MONITOR OF
CERTAIN SUMS HELD IN TRUST IN RESPECT OF HOLDBACKS (CHURCHILL
ESTATES)**

- [1] **CONSIDERING** the Monitor's *Application for the Payment to the Monitor of Certain Sums Held in Trust in Respect of Holdbacks (Churchill Estates)* dated February 23, 2017 (the "**Application**"), the affidavit and the exhibits in support thereof;
- [2] **CONSIDERING** the submissions made by counsel present at the hearing;
- [3] **CONSIDERING** the consent of the Respondent and of the Mis-en-Cause;

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FOR THESE REASONS, THE COURT:

- [4] **GRANTS** the Application;
- [5] **DECLARES** that the time for any required service, notice or notification of the Application is hereby abridged and validated and that there has been good and sufficient service, notice or notification of the Application, and that any further service, notice or notification on any party is hereby dispensed with;
- [6] **ORDERS** the Respondent Norton Rose Fulbright Canada LLP to pay the amount of \$107,677.61 (representing the Holdback Funds in Trust less the Fee Holdback, both as defined in the Application) to Deloitte Restructuring Inc. in its capacity as Monitor of Churchill Estates Development Ltd., and **DECLARES** that, upon such payment, Norton Rose Fulbright Canada LLP will be released from any and all further liability in connection with the Holdback Funds in Trust (being understood that this declaration does not apply to any other funds held in trust by Norton Rose Fulbright Canada LLP);
- [7] **THE WHOLE** without costs.



LOUIS J. GOUIN, J.S.C.