

Samson Bélair/Deloitte & Touche Inc.

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C A N A D A

PROVINCE OF QUEBEC

DISTRICT OF MONTREAL

COURT. 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)

IN THE MATTER OF A PLAN OF ARRANGEMENT AND REORGANIZATION OF:

**Homburg Invest Inc.** 

**Homburg Shareco Inc.** 

Churchill Estates Development Ltd. Inverness Estates Development Ltd.

**CP Development Ltd. North Calgary Land** 

Homburg Managament (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

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Homco Realty Fund (122) 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.

Mis-en-cause

- and -

## SAMSON BÉLAIR/DELOITTE & TOUCHE INC.

(Pierre Laporte, CPA, CA, CIRP, person in charge), having a place of business at 1 Place Ville Marie, Suite 3000, Montreal, Quebec, H3B 4T9

Monitor

## NOTICE TO CREDITORS OF HOMCO REALTY FUND (83) LIMITED PARTNERSHIP

The Debtors / Petitioners and Mis-en-Cause (collectively, the "HII Group" and, individually, an "HII Group Entity") have been the object of a process under the Companies' Creditors Arrangement Act ("CCAA") since the initial order rendered by the Superior Court of Quebec, Commercial Division (the "Court") on September 9, 2011, as amended and extended from time to time (the "Initial Order"). Samson Bélair/Deloitte & Touche Inc. is acting as court-appointed monitor (the "Monitor") in the CCAA proceedings.

Please be informed that, pursuant to an order from the Court rendered on April 26, 2013 (following a motion filed with the Court on April 23, 2013), Homco Realty Fund (83) Limited Partnership ("Homco 83"), which owns a condonium project known as Northumberland, located in Charlottetown, Prince Edward Island, was added as a Mis-en-Cause in the CCAA proceedings. The Initial Order was amended on April 26, 2013 in order to include Homco 83 as a Mis-en-Cause, hence allowing it, including its assets and its creditors' interests, to benefit from a stay of proceedings ("Stay"), as further provided by the Initial Order. Under the CCAA, the Stay may be extended on such terms and with such modifications as the Court considers appropriate.

On April 30, 2012, the Court rendered an order (the "Claims Process Order") authorizing a process for creditors to prove (a) any claim or right against any HII Group Entity in connection with any unpaid indebtedness, liability or obligation of any kind owed to such person, based in whole or in part on facts which existed on the Filing Date; and (b) any claim or right against any HII Group Entity in connection with any liability or obligation of any kind owed to such person, including any loss or damage incurred or arising as a result of or in connection with the disclaimer, resiliation, repudiation, termination or restructuring by any Debtor of any contract, lease or other agreement, including any employment agreement after the Filing Date, subject to certain conditions further detailed in the Claims Process Order ((a) and (b) collectively, a "Covered Claim").

On April 26, 2013, the Court added Homco 83 as an HII Group Entity to which the Claim Process Order applies. Subject to the following paragraph, any person who believes that it has a Covered Claim against Homco 83 must file a Proof of Claim in the CCAA proceedings with the Monitor. Information regarding the CCAA proceedings and the claims process is available on the Monitor's website at: http://www.deloitte.com/ca/homburg-invest.

Proofs of Claim for Covered Claims against Homco 83 must be received by the Monitor at the address below by no later than 5:00 p.m. (Eastern Prevailing Time) on May 17, 2013 (the "Homco 83 Claims Bar Date").

Creditors who have questions or who are unable to download a Proof of Claim form from the Monitor's website listed above should contact the Monitor at the address below:

Samson Bélair/Deloitte & Touche Inc.

In its capacity as Court-appointed Monitor of Homburg Invest Inc. and certain of its related entities

1 Place Ville Marie

**Suite 3000** 

Montreal QC H3B 4T9

Eric Vincent Attention: Telephone: 418-624-5378 Toll free number: 1-855-247-9147 Netherlands: 31 (0) 800 0991150 Outside the Netherlands: 31 79 8904560 Fax: 514-390-4103

HomburgInvestCCAA@deloitte.ca E-mail:

COVERED CLAIMS AGAINST HOMCO 83 WHICH ARE NOT RECEIVED BY THE HOMCO 83 CLAIMS BAR DATE WILL BE FOREVER BARRED AND EXTINGUISHED.

DATED AT MONTREAL, this 1<sup>st</sup> day of May, 2013.