

**CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL**

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 THE PLAN OF  
COMPROMISE OR ARRANGEMENT OF:**

**Homburg Invest Inc.  
Homburg Shareco Inc.  
Churchill Estates Development Ltd.  
CP Development Ltd.  
North Calgary Land Ltd.  
Homburg Management (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  
Homco Realty Fund (105) Limited Partnership  
Homco Realty Fund (121) 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.**

**Mises-en-cause**

-and-

**Samson Bélair/Deloitte & Touche Inc.**

**Monitor**

<p><b>MOTION FOR EXTENSION OF THE STAY PERIOD</b> <b>(Sections 11 and 11.02 of the <i>Companies' Creditors Arrangement Act</i>, R.S.C., 1985)</b></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------

**TO THE HONOURABLE JUSTICE LOUIS J. GOUIN OR TO ONE OF THE  
HONOURABLE JUDGES OF THE SUPERIOR COURT, SITTING IN COMMERCIAL  
DIVISION IN AND FOR THE JUDICIAL DISTRICT OF MONTRÉAL, THE  
PETITIONERS RESPECTFULLY SUBMIT AS FOLLOWS:**

## I. INTRODUCTION

1. On September 9, 2011, the Honourable Louis J. Guoin, J.S.C. issued an order (the “**Initial Order**”) pursuant to the *Companies Creditors’ Arrangement Act*, R.S.C. 1985, c. C-36 (the “**CCAA**”) in respect of Homburg Invest Inc. (“**HII**”), Homburg Shareco Inc. (“**Shareco**”), Churchill Estates Development Ltd., Inverness Estates Development Ltd. (“**Inverness**”) and CP Development Ltd. (collectively the “**Initial Debtors**”) as appears from the Court record;
2. Pursuant to the Initial Order, Samson Bélair/Deloitte & Touche Inc. (the “**Monitor**”) was appointed as Monitor of the Initial Debtors and a stay of proceedings (the “**Stay of Proceedings**”) was issued from the date of the Initial Order until October 7, 2011;
3. On October 7, 2011, this Court issued an order (the “**First Extension Order**”) extending the Stay of Proceedings. Since then, this Court has further extended the Stay of Proceedings, most recently until December 2, 2013 (the “**Stay Period**”), as appears from the Court record;
4. As appears from the Initial Order and the First Extension Order, the Stay of Proceedings was initially extended in favour of the following limited partnerships: Homco Realty Fund (52) Limited Partnership (“**Homco 52**”), Homco Realty Fund (88) Limited Partnership (“**Homco 88**”), Homco Realty Fund (89) Limited Partnership, Homco Realty Fund (92) Limited Partnership, Homco Realty Fund (94) Limited Partnership (“**Homco 94**”), Homco Realty Fund (105) Limited Partnership (“**Homco 105**”), Homco Realty Fund (121) Limited Partnership (“**Homco 121**”), Homco Realty Fund (122) Limited Partnership (“**Homco 122**”), Homco Realty Fund (142) Limited Partnership and Homco Realty Fund (199) Limited Partnership (collectively the “**Initial Mises-en-cause**”);
5. On May 31, 2012, this Court issued an order amending the Initial Order to add North Calgary Land Ltd. (“**NCLL**”) as a Petitioner and Homco Realty Fund (96) Limited Partnership (“**Homco 96**”) as an Applicant Partnership thereunder. On December 14, 2012, this Court issued a further order amending the Initial Order to add Homco Realty Fund (190) Limited Partnership (“**Homco 190**”) and Homco Realty Fund (191) Limited Partnership (“**Homco 191**”) as Applicant Partnerships;
6. By Order of the Court made on February 6, 2013, the Initial Order was further amended to add Homco Realty Fund (61) Limited Partnership (“**Homco 61**”) as an additional Applicant Partnership and Castello Development Ltd. (“**Castello**”) as a mise-en-cause. On March 14, 2013, the Initial Order was further amended to add Homburg Management (Canada) Inc. (“**HMCI**”) as an additional Petitioner. On April 26, 2013, this Court issued a further order amending the Initial Order to add Homco Realty Fund (83) Limited Partnership (“**Homco 83**”) as Applicant Partnership. Finally, on July 11, 2013, this Court discontinued the stay of proceedings in respect of Homco 122 and on September 30, 2013, this Court discontinued the stay of proceedings in respect of Inverness (NCLL, Homco 96, Homco 190, Homco 191, Homco 61, Castello, HMCI, Homco 83, the Initial Debtors and the Initial Mises-en-cause (excluding Homco 122 and Inverness) are collectively referred to as the “**HII Group**”);

7. The HII Group respectfully requests that this Honourable Court render the orders sought herein to extend the Stay Period until January 17, 2014;

## **II. IMPLEMENTATION OF THE PLANS OF ARRANGEMENT**

8. On May 30, 2013, affected creditors voted overwhelmingly in favour of the Second Joint Amended and Restated Plan of Compromise and Reorganization of HII and Shareco and the Restated Plan of Compromise of Homco 61 (the “**Homco 61 Plan**”);
9. On June 5, HII and Shareco filed a Third Amended and Restated Plan of Compromise and Reorganization (the “**HII/Shareco Plan**” and together with the Homco 61 Plan, the “**Plans**”);
10. On June 5, 2013, this Honourable Court sanctioned the Plans, as appears from the Court record. The HII Group, the Monitor and their advisors have been working diligently in order to allow for the implementation of the transactions which will occur on Plan Implementation Date (as defined in the Plans);
11. As detailed below, the HII Group, the Monitor and their respective advisors have nearly completed their discussions with the mortgage lenders of the Core Business Assets (as defined in the Plans) to finalize and execute all arrangements and consents required to implement the Plans, the whole with a view to proceeding to implementation of the Plans as soon as possible;

### **A. *Geneba licence application***

12. As previously reported to the Court, the entity identified as Newco in the Plans was incorporated as Geneba Properties N.V. (“**Geneba**”) under the laws of the Netherlands in July 2013. Dutch counsel for HII and Geneba have been in regular discussions with, and have submitted numerous documents to, the Dutch Autoriteit Financiële Markten (“**AFM**”) regarding the application for a licence as a property investment company;
13. As also previously disclosed to the Court, in light of the enactment on July 22, 2013 of the European Alternative Investment Fund Managers Directive and of the three Level 2 Regulations supplementing it, the HII Group and Geneba had to amend certain documents already filed and file some additional documents;
14. There has been regular and continuous communication between the HII Group, the Monitor, Geneba and the AFM to advance the issuance of the required licence;
15. On or about November 21, 2013, the Monitor wrote to the AFM to offer its assistance in order to expedite the treatment of the licence application filed by Geneba and to provide the AFM with additional matters that would need to be considered or reconsidered if the licence were not to be issued shortly or before the end of 2013, the whole as more fully detailed in the Twenty-Ninth Report of the Monitor to be filed in support of the present motion (the “**Monitor’s Twenty-Ninth Report**”);

16. On November 25, 2013, the AFM sent a letter to HII's Dutch counsel outlining certain matters which required further attention in connection with the issuance of the licence. HII, Geneva, the Monitor and their respective advisors are working diligently to address all remaining matters in the briefest of delays;
17. The AFM has suspended the thirteen week delay to process the application for a period of two weeks so that Geneva may address the matters outlined in the letter. Accordingly, taking into account the additional two week delay, the thirteen week delay for the AFM to process the application is now expected to expire on or about December 24, 2013. The AFM has also advised that comments from the DNB are still forthcoming;
18. At the request of the Monitor, the Monitor and its advisors attended a meeting with the AFM in Amsterdam on November 27, 2013 in order to discuss the contents of the AFM letter referred to above and explore all possible avenues to accelerate the issuance of the licence;
19. As will be further detailed in the its Twenty-Ninth Report, the Monitor is cautiously optimistic that all outstanding concerns of the AFM should be satisfactorily addressed in the coming weeks. At the meeting referred to in the previous paragraph, the AFM reiterated that, provided all matters raised in its letter were satisfactorily addressed, it would endeavour to complete its assessment of the application on or prior to December 24, 2013. It is unknown at this time whether the DNB will have any additional comments/concerns which will need to be addressed as well;
20. In light of the foregoing, HII and the Monitor are both hopeful that final approval will be granted within the extension of the Stay Period sought herein;

**B. *NPEX***

21. As previously disclosed to the Court, the Geneva shares to be issued pursuant to the HII/Shareco Plan will trade on the Nederlandsche Participatie Exchange ("**NPEX**") platform. As of the date hereof, there are no material outstanding issues with NPEX and the necessary arrangements have been finalized in this regard;

**C. *Exemption applications with Canadian securities regulators***

22. In parallel, as also previously disclosed to the Court, Geneva made two applications to Canadian securities regulators to cease being a reporting issuer in Canada and for certain exemptions relating to issuance of Geneva shares. Obtaining these exemptions is not a pre-condition to implementation of the Plans. Counsel for Geneva have responded to all comments received and are waiting for any final comments. Decisions on these applications are pending;

**D. *Pre-closing in advance of Plan Implementation Date***

23. HII is actively working on finalizing all aspects of plan implementation under its control, with a view of being able to proceed as quickly as possible once the necessary external

approvals are obtained. The vast majority of documents required to implement the Plans are in final form;

24. On the date hereof, the HII Group conducted a pre-closing session wherein most documents required to implement the Plans were signed and retained in escrow pending Plan Implementation Date. This is a significant milestone considering the fact that there are multiple parties involved and that the consolidated closing agenda contains in excess of 800 items;

### III. OPERATIONS AND RESTRUCTURING EFFORTS

25. Since the last extension of the Stay Period, the HII Group has continued to make significant progress, including executing agreements with nearly all remaining mortgage lenders, the whole as more fully set forth below;
26. Highlights of the most significant activities of the HII Group are provided below. The HII Group refers the stakeholders and the Court to the Monitor's Twenty-Ninth Report for a complete description of these activities;

#### A. *Loan portfolio*

27. Significant developments with respect to the restructuring of the loan portfolio in cooperation with mortgage lenders of the European properties are as follows:
  - (a) Documentation of the renegotiated terms of the loan advanced by Skandinaviska Enskilda Banken AB (“**SEB**”) to Homburg Baltic LP Inc. and certain of its affiliates in respect of properties located in Estonia, Latvia and Lithuania (the “**Baltic Portfolio**”) as well as three long term leases for properties situated in each of Estonia, Latvia and Lithuania which collectively represent over 74% of the aggregate rent value of the entire Baltic Portfolio as well as all other ancillary documentation to be entered with SEB in connection with entire Baltic portfolio is in execution form, has been executed by the relevant HII Group parties and is scheduled to be executed by SEB in the coming days;
  - (b) Legal documentation of the agreement entered into with HSH Nordbank AG has been finalized and executed; and
  - (c) Legal documentation of the agreement entered into with Bank of Scotland has been finalized and executed;
  - (d) HII and its advisors are also seeking extensions of the outside dates for Plan Implementation Date referenced in the loan agreements with HSH Nordbank AG and Falcon Private Bank Ltd. in order to extend the said outside dates to the end of February 2014, in order to provide for maximum flexibility;

**B. *Dispositions of non-core properties***

28. As previously disclosed to the Court, HSBC Bank Canada (“**HSBC**”) is financing four properties in Canada: Henderson Farms (Homco 121), Kai Mortensen Towers (Homco 88), Cristal Towers (Homco 105), and Points North (NCLL). With respect to Kai Mortensen Towers, on November 18, 2013 this Honourable Court issued the Order authorizing sale of Kai Towers and vesting order, in the Court record. That sale is scheduled to close before the end of 2013;
29. As regards Points North and Cristal Towers, sales processes are ongoing and any sale is subject to the approval of this Court. HSBC is kept informed of any material developments in the ongoing sale processes;
30. As to Henderson Farms, as previously disclosed to the Court, Homburg Canada Inc. has raised certain issues relating to the property. Discussions as to the best course of action are ongoing and the Court will be kept apprised of any developments;
31. Highlights with respect to other properties located in North America are as follows:
  - (a) The sales processes for Homburg Springs East (Homco 52) and Homburg Springs West (Homco 94) are ongoing;
  - (b) Castello stills holds one condominium unit which is currently on the market;
  - (c) Homburg Holdings (U.S.) Inc. (“**HHUS**”) is continuing to market four properties located in Colorado Springs. The HII Group received offers for these properties, which it is currently handling with the Monitor’s assistance. HHUS closed the sale of one of the two properties remaining in Texas in mid-November 2013, with sale of the other currently scheduled to close in mid-December 2013;
32. The process relating to sale of non-core properties in Canada and the United States, and any related issues, will not have any impact the Plan Implementation Date;
33. As will more fully appear from the Monitor’s Twenty-Ninth Report, the HII Group is continuing to diligently review its structure as and when appropriate. In furtherance of this goal, Inverness filed an assignment in bankruptcy on October 25, 2013;

**IV. CONCLUSION**

34. HII is of the view that providing the relief requested herein is appropriate in the present circumstances. Accordingly, HII respectfully requests that this Honourable Court render the orders contained in the conclusions herein;
35. As will appear from the Monitor’s Twenty-Ninth Report, the Monitor supports the present Motion;
36. The HII Group has acted, and continues to act, in good faith and with the utmost diligence;

37. The present motion is well founded in fact and law.

**WHEREFORE, MAY IT PLEASE THIS HONOURABLE COURT TO:**

1. **GRANT** the present *Motion for extension of the stay period* (the “**Motion**”);
2. **EXTEND** the Stay Period (as defined in the Initial Order rendered by the Court on September 9, 2011 and as extended from time to time) to and including January 17, 2014;

**THE WHOLE WITHOUT COSTS**, save in the event of contestation.

MONTREAL, November 28, 2013

*Osler, Hoskin & Harcourt LLP*

---

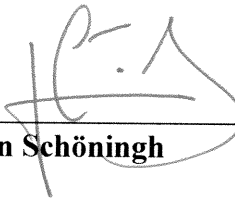
**OSLER, HOSKIN & HARCOURT LLP**  
Attorneys for the Debtors and Mises-en-cause

**AFFIDAVIT**

I the undersigned, Jan Schöningh, domiciled and residing at 597 Roslyn Avenue, Westmount, Québec, H3Y 2V1, solemnly declare the following:

1. I am the President and Chief Executive Officer of Homburg Invest Inc. and duly authorized representative of the Petitioners for the purpose hereof;
2. I have taken cognizance of the attached *Motion for extension of the stay period*;
3. All of the facts alleged in the said motion are true.

AND I HAVE SIGNED:

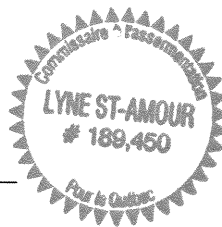
  
\_\_\_\_\_

**Jan Schöningh**

SOLEMNLY DECLARED BEFORE ME  
IN WESTMOUNT, QUÉBEC ON THE  
28<sup>TH</sup> DAY OF NOVEMBER 2013.

  
\_\_\_\_\_

COMMISSIONER OF OATHS  
FOR THE PROVINCE OF QUÉBEC





## NOTICE OF PRESENTATION

- TO :** **McCARTHY TÉTRAULT LLP** **Attorneys for the Monitor**  
1000 De La Gauchetière Street West, Suite 2500  
Montréal QC H3B 0A2  
**Me Mason Poplaw**  
**Me Jocelyn Perreault**  
**Me Alain Tardif**  
email : mpoplaw@mccarthy.ca  
jperreault@mccarthy.ca  
atardif@mccarthy.ca
- TO :** **BENNETT JONES LLP** **Attorneys for Penn West**  
4500 Bankers Hall East  
855 2<sup>nd</sup> Street West  
Calgary AB T2P 4K7  
**Me Kenneth T. Lenz**  
email : lenzk@bennettjones.com
- TO :** **BENNETT JONES LLP** **Attorneys for Statoil Canada Limited**  
4500 Bankers Hall East  
855 2<sup>nd</sup> Street West  
Calgary AB T2P 4K7  
**Me Chris Simard**  
email : simardc@bennettjones.com
- TO :** **LANGLOIS KRONSTRÖM DESJARDINS LLP** **Attorneys for Statoil Canada Limited**  
1002 Sherbrooke Street West, 28<sup>th</sup> Floor  
Montréal QC H3A 3L6  
**Me Gerry Apostolatos**  
**Me Dimitri Maniatis**  
**Me Stefan Chripounoff**  
email : gerry.apostolatos@lkd.ca  
dimitri.maniatis@lkd.ca  
stefan.chripounoff@lkd.ca
- TO :** **HOMBURG CANADA INC.**  
600-1741 Brunswick Street  
Halifax NS B3J 3X8  
**Me Michael J. O'Hara**  
**General Counsel**  
email: mohara@homburg.com

**TO :** **ARCAN RESOURCES LTD.**  
Suite 2200, 500 – 4<sup>th</sup> Avenue S.W.  
Calgary, Alberta T2P 2V6  
**Mr. Graeme Ryder,**  
**Vice-President, Finance and CFO**  
email : gryder@arcanres.com

**TO :** **BORDEN LADNER GERVAIS LLP**  
1000 De La Gauchetière Street West, Suite 900  
Montréal QC H3B 5H4

**Me Josef G. A. Krüger**  
**Me Matti Lemmens**  
**Me Mathieu Lévesque**  
email : jkruger@blg.com  
mlemmens@blg.com  
malevesque@blg.com

**Attorneys for BOS Solutions  
Ltd., Canadian Tabular  
Services Inc., Premier  
Petroleum Corp, Moe Hannah  
McNeill LLP**

**TO :** **FIELD LAW**  
400 – 604 1<sup>st</sup> SW  
Calgary AB T2P 1M7

**Me Douglas S. Nishimura**  
email : dnishimura@fieldlaw.com

**Attorneys for Keywest  
Projects Ltd., MHI Fund  
Management Inc., STP Group  
Canada Ltd. (formely  
Neotechnology Consultants  
Ltd.), Logan Completion  
Systems Inc., CE Franklin  
Ltd.**

**TO :** **DAVIES WARD PHILLIPS & VINEBERG LLP**  
1501 McGill College Avenue, 26<sup>th</sup> floor  
Montréal QC H3A 3N9

**Me Denis Ferland**  
**Me Christian Lachance**  
email : dferland@dwpv.com  
clachance@dwpv.com

**Attorneys for HSBC Bank  
Canada**

**TO :** **DAVIES WARD PHILLIPS & VINEBERG LLP** **Attorneys for Cominar REIT**  
1501 McGill College Avenue, 26<sup>th</sup> floor  
Montréal QC H3A 3N9  
**Me Louis-Martin O'Neill**  
email : [lmoneill@dwpv.com](mailto:lmoneill@dwpv.com)

**TO :** **DICKINSON WRIGHT LLP** **Attorneys for Romspen Investment Corporation**  
222 Bay St., 18<sup>th</sup> Floor, PO Box 124  
Toronto ON M5K 1H1  
**Me David P. Preger**  
email : [dpreger@dickinsonwright.com](mailto:dpreger@dickinsonwright.com)  
joint appearance with De Granpré

**TO:** **DE GRANPRÉ JOLI-CŒUR LLP** **Attorneys for Romspen Investment Corporation**  
2000 McGill College Avenue, Suite 1600  
Montréal QC H3A 3H3  
**Me Anne Lefebvre**  
email: [a.lefebvre@djclegal.com](mailto:a.lefebvre@djclegal.com)  
joint appearance with Dickinson Wright

**TO :** **FASKEN MARTINEAU DUMOULIN LLP** **Attorneys for Canmarc REIT (formerly Homburg Canada REIT), Homburg Canada REIT Limited Partnership and Homburg Canada REIT GP Inc. and, in their capacity as trustees of Canmarc REIT (formerly Homburg Canada REIT), Karen A. Prentice, Frank W. Matheson, James F. Miles, Wayne Heuff, John Levitt and Gérard A. Limoges**  
Tour de la Bourse  
800 Place Victoria, PO Box 242, Suite 3700  
Montréal QC H4Z 1E9

**Me Luc Morin**  
**Me Robert Paré**  
**Me Edmond Lamek**  
**Me Alain Riendeau**  
email : [lmorin@fasken.com](mailto:lmorin@fasken.com)  
[rpare@fasken.com](mailto:rpare@fasken.com)  
[elamek@fasken.com](mailto:elamek@fasken.com)  
[ariendeau@fasken.com](mailto:ariendeau@fasken.com)

**TO :** **FISHMAN FLANZ MELAND PAQUIN LLP** **Attorneys for Cadillac Fairview Corporation Limited**  
1250 René-Lévesque Boulevard West, Suite 4100  
Montréal QC H3B 4W8  
**Me Mark E. Meland**  
email : [mmeland@ffmp.ca](mailto:mmeland@ffmp.ca)

- TO :** **FISHMAN FLANZ MELAND PAQUIN LLP**  
1250 René-Lévesque Boulevard West, Suite 4100  
Montréal QC H3B 4W8  
**Me Ronald M. Auclair**  
email : rauclair@ffmp.ca  
**Attorneys for Stichting  
Homburg Capital Securities**
- TO :** **STIKEMAN ELLIOTT**  
1155 René-Lévesque Boulevard West  
Montréal QC H3B 3V2  
**Me Guy P. Martel**  
**Me Joseph Reynaud**  
**Me Warren Katz**  
**Me Charles Nadeau**  
**Me Claire Zikovsky**  
**Me Danny Duy Vu**  
**Me Nathalie Nouvet**  
email : gmartel@stikeman.com  
jreynaud@stikeman.com  
wkatz@stikeman.com  
cnadeau@stikeman.com  
czikovsky@stikeman.com  
ddvu@stikeman.com  
nnouvet@stikeman.com  
**Attorneys for Stichting  
Homburg Bonds**
- TO :** **DENTONS CANADA LLP**  
1 Place Ville Marie, Suite 3900  
Montréal QC H3B 4M7  
**Me Louis Dumont**  
**Me Martin Poulin**  
**Me Jordan Deering**  
email : louis.dumont@dentons.com  
martin.poulin@dentons.com  
jordan.deering@dentons.com  
**Attorneys for Tucker  
Wireline Services Canada Inc.**
- TO :** **HEENAN BLAIKIE LLP**  
215 – 9<sup>th</sup> Avenue S.W., Suite 1900  
Calgary AB T2P 1K3  
**Me Caireen E. Hanert**  
**Me Nicholas Plourde**  
email : chanert@heenan.ca  
nplourde@heenan.ca  
**Attorneys for Surge Energy  
Inc.**

**TO :** **HEENAN BLAIKIE LLP**  
1250 René-Lévesque Boulevard West, Suite 2500  
Montréal QC H3B 4Y1  
**Me Michael Hanlon**  
email : mhanlon@heenan.ca

**Attorneys for Surge Energy Inc.**

**TO :** **NORTON ROSE CANADA LLP**  
3700 Canterra Tower, 400 – 3<sup>rd</sup> Avenue S.W.  
Calgary AB T2P 4H2  
**Me Judson Virtue**  
email : jud.virtue@nortonrose.com

**Attorneys for bcIMC Realty Corporation**

**TO :** **CATALYST CAPITAL GROUP INC.**  
Royal Trust Tower  
77 King Street West, Suite 4320  
POBox 212  
Toronto ON M5K 1J3

**Gabriel de Alba**  
**Zach Michaud**  
email: gdealba@catcapital.com  
zmichaud@catcapital.com

**TO :** **McMILLAN LLP**  
Brookfield Place  
181 Bay Street, Suite 4400  
Toronto ON M5J 2T3

**Attorneys for Catalyst Capital Group Inc.**

**Me Andrew J.F. Kent**  
email : andrew.kent@mcmillan.ca

**TO :** **McMILLAN LLP**  
1000 Sherbrooke Street West, Suite 2700  
Montréal QC H3A 3G4

**Attorneys for Catalyst Capital Group Inc.**

**Me Nicholas Scheib**  
**Me Marc-André Morin**  
**Me Charles Chevette**  
email : nicholas.scheib@mcmillan.ca  
marc-andre.morin@mcmillan.ca  
charles.chevette@mcmillan.ca

**TO : McMILLAN LLP**  
1000 Sherbrooke Street West, Suite 2700  
Montréal QC H3A 3G4

**Me Éric Vallières**  
email : eric.vallieres@mcmillan.ca

**Attorneys for DEGI Homburg  
Harris Limited Partnership**

**TO : NORTON ROSE CANADA LLP**  
1 Place Ville Marie, Suite 2500  
Montréal QC H3B 1R1

**Me Sylvain Rigaud**  
**Me Arnold Cohen**  
**Me Philippe Giraldeau**  
email : sylvain.rigaud@nortonrose.com  
arnold.cohen@nortonrose.com  
philippe.giraldeau@nortonrose.com

**Attorneys for Taberna  
Europe CDO I PLC, Taberna  
Europe CDO II PLC,  
Taberna Preferred Funding  
VIII, Ltd and Taberna  
Preferred Funding VI, Ltd.**

**TO : WALSH WILKINS CREIGHTON LLP**  
2800 – 801 6th Avenue S.W.  
Calgary, Alberta T2P 4A3

**Me Gary Befus**  
email : gbefus@walshlaw.ca

**Attorneys for Lafarge Canada  
Inc.**

**TO : STONES CARBERT WAITE WELLS LLP**  
2000 Encor Place  
645 – 7th Avenue S.W.  
Calgary AB T2P 4G8

**Me Kelly Patrick Colborne**  
email : colborne@scwlawyers.com

**Attorneys for NORR  
Architects Planners**

**TO : KUGLER KANDESTIN LLP**  
1 Place Ville Marie, Suite 2101  
Montréal QC H3B 2C6

**Me Gordon Levine**  
email : glevine@kugler-kandestin.com

**Attorneys for Avison Young  
Real Estate Alberta Inc.**

- TO :** **WELLS FARGO BANK, N.A.** **Wells Fargo Bank N.A.**  
**Corporate Trust Services**  
9062 Old Annapolis Road  
MAC: N2702-011  
Columbia, Maryland 21045  
**William Fay**  
**Default & Restructuring Account**  
**Manager**  
email : bill.fay@wellsfargo.com
- TO :** **NOVA SCOTIA SECURITIES COMMISSION** **Nova Scotia Securities**  
**CIBC Building** **Commission**  
1809 Barrington Street, Suite 501  
Halifax NS B3J 3K8  
**Me Stephanie Atkinson**  
**Enforcement Counsel**  
email : atkinssj@gov.ns.ca
- TO :** **DEPARTMENT OF JUSTICE CANADA**  
**Tax Litigation Directorate**  
**Québec Regional Office**  
Guy-Favreau Complex, East Tower, 9<sup>th</sup> Floor  
200 René-Lévesque Boulevard West  
Montréal QC H2Z 1X4  
**Me Kim Sheppard**  
email : kim.sheppard@justice.gc.ca
- TO :** **THE LAW FIRM OF W. DONALD** **Attorneys for Centron**  
**GOODFELLOW, Q.C.** **Construction Corp.**  
999 – 8<sup>th</sup> Street S.W., Suite 715  
Calgary AB T2R 1J5  
**Me W. Donald Goodfellow**  
**Me Philip R. Biggar**  
email : wdonald@goodfellowqc.com  
pbiggar@goodfellowqc.com
- TO :** **LAVERY, DE BILLY LLP**  
1 Place Ville-Marie, Suite 4000  
Montréal QC H3B 4M4  
**Me Jonathan Warin**  
**Me Jean-Yves Simard**  
email : jwarin@lavery.ca  
jysimard@lavery.ca

**TO : DAVIS LLP**  
1501 McGill College Avenue, Suite 1400  
Montréal QC H3A 3M8  
**Me Mélanie Martel**  
**Me Jean-Yves Fortin**  
**Me Brigitte Lenis**  
email : mmartel@davis.ca  
jyfortin@davis.ca  
blenis@davis.ca

**Attorneys for Valbonne Real  
Estate B.V.**

**TO : IRVING MITCHELL KALICHMAN LLP**  
Place Alexis Nihon, Tower 2  
3500 De Maisonneuve Boulevard West, Suite 1400  
Montréal QC H3Z 3C1  
**Me Peter Kalichman**  
**Me Karim Renno**  
email : pkalichman@imk.ca  
krenno@imk.ca

**Attorneys for Lafarge Canada  
Inc. and Kai Construction  
Corp.**

**TO : McLENNAN ROSS LLP**  
1000 First Canadian Centre  
350-7<sup>th</sup> Avenue SW  
Calgary, AB T2P 3N9  
**Me James P. Flanagan**  
email : jflanagan@mross.com

**Attorneys for C&T  
Reinforcing Steel**

**TAKE NOTICE** that the *Motion for extension of the stay period* will be presented for hearing and allowance in the Superior Court, commercial division, at the Montréal Courthouse, 1 Notre-Dame Street East, Montréal, on December 2, 2013, at 9:15 a.m., or so soon thereafter as counsel may be heard, and in a room to be announced.

**PLEASE ACT ACCORDINGLY.**

MONTRÉAL, November 28, 2013

*Osler, Hoskin & Harcourt LLP*  

---

**OSLER, HOSKIN & HARCOURT LLP**  
Attorneys for the Debtors and Mises-en-cause



No: 500-11-041305-117

---

**SUPERIOR COURT**  
(Commercial Division)  
DISTRICT OF MONTRÉAL

---

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

**HOMBURG INVEST INC. ET AL.**

Debtors/Petitioners

-and-

**HOMCO REALTY FUND (S2) LIMITED  
PARTNERSHIP ET AL.**

Mises-en-cause

-and-

**SAMSON BÉLAIR/DELOITTE & TOUCHE INC.**  
Monitor

---

**MOTION FOR EXTENSION OF THE STAY  
PERIOD (Sections 11 and 11.02 of the Companies'  
Creditors Arrangement Act, R.S.C., 1985),  
AFFIDAVIT, ATTESTATION OF  
AUTHENTICITY, NOTICE OF PRESENTATION**

---

**ORIGINAL**

---

**Mtre. Martin Desrosiers**  
**Mtre. Sandra Abitan**  
**Osler, Hoskin & Harcourt LLP**  
1000 De La Gauchetière Street West, Suite 2100  
Montréal, Québec H3B 4W5  
Tel: 514.904.8100 Fax: 514.904.8101

Code : BO 0323 o/f: 1131787