

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Action Commenced in Orangeville)

THE HONOURABLE

JUSTICE *Parayeski*

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*28th*  
THURS DAY, THE DAY

OF JUNE , 2012

BETWEEN:

**ORLANDO IERACI, GIUSEPPE MELECA, FRANK TROIANO,  
CONCEZIO BATTAGLINI, CARMELO COMMISSO,  
FRANCESCO GAGLIANO, GIUSEPPE GAGLIANO, DAVID  
MEADOWS, GIUSEPPE COMMISSO, JOHN KOLOVOS,  
BORDEN KENT, GABRIEL DIVITTORIO, 747304 ONTARIO  
LIMITED, RITA BENNETT, MAGGIORINO TORRESAN, MARCO  
BATTAGLINI, DAVID BATTAGLINI, LEO BATTAGLINI,  
VINCENZO MINNELLA, DINO MINNELLA, FERRUCCIO  
AGOSTINO, TONY MINNELLA, VITO MINNELLA, ROCCO  
MINNELLA, ANNA M. MINNELLA and JOHN PETROSINO**

Applicants  
(Moving Parties)

-and-

**VINCENZO POLSINELLI, RODOLFO GRANATA, GARA  
HOLDINGS, NAJEEB WAHAB, P.O.S.E. INVESTMENTS, 910913  
ONTARIO INC. and TERRY HOPKINS**

Respondents

**APPROVAL ORDER**

**THIS MOTION** made by Deloitte & Touche Inc. in its capacity as the court appointed Receiver and Manager (the "Receiver") of the undertakings, property and assets of P.O.S.E. Investments, including 910912 Ontario Inc. and 910913 Ontario Inc. ("P.O.S.E.") for an order approving the conduct of the Receiver as set out in the First Report and Supplemental Report dated May 31, 2012, authorizing the proposed Marketing Process, changing venue to Hamilton

and sealing of confidential information was heard this day at 45 Main Street East, Hamilton, Ontario, L8N 2B7.

**ON READING** the affidavit of Robert Biehler sworn June 20, 2012 (the "Biehler Affidavit") and the exhibits thereto and upon hearing the submissions of counsel for the Receiver and upon reading the First Report and the Supplemental Report of the Receiver;

#### **SERVICE**

1. **THIS COURT ORDERS** that the time for service, time for filing and validating service of the Notice of Motion and the Motion Record is hereby abridged so that this motion is properly returnable today and hereby dispenses with further service thereof.

#### **CHANGE OF VENUE**

2. **THIS COURT ORDERS** that the venue for the within application be changed from Orangeville (Orangeville Court File No.: 270-11) to Hamilton, Ontario.

#### **APPROVAL OF CONDUCT**

3. **THIS COURT ORDERS** that the conduct of the Receiver as described in the First Report and Supplemental Report be and is hereby ratified and approved.

#### **MARKETING PROCESS**

4. **THIS COURT ORDERS** that the Marketing Process as described in the First Report and Supplemental Report of the Receiver is approved and the Receiver is authorized and directed to carry out and conduct the Marketing Process and to take such actions as are required to complete the Marketing Process.

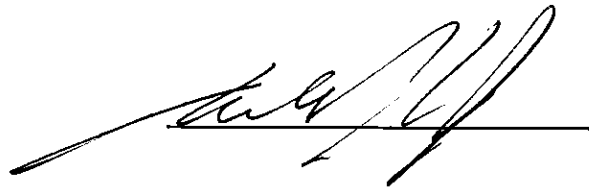
5. **THIS COURT ORDERS** that following completion of the Marketing Process, the Receiver shall return to this Court for approval of any sale.

#### **SEALING OF DOCUMENTS**

6. **THIS COURT DECLARES** that the Exhibits attached to the Supplemental Report be treated as confidential, sealed and segregated from and not form part of the public record, pending further Order of this court on notice to the Receiver.

**GENERAL**

7. **THIS COURT ORDERS** that any interested party may apply to this Court to vary or amend this Order on not less than seven (7) days notice to Deloitte & Touche Inc. and to any other party likely to be affected by the order sought or upon such other notice, if any, as this Court may order.

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be the name of a legal professional.

Orlando Ieraci et al.

Applicants

v.

Vincenzo Polsinelli et al.

Respondents

Court File No. 270-11

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**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Orangeville

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**ORDER**

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**GOWLING LAFLEUR HENDERSON LLP**  
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Lawyers for Deloitte & Touche Inc. in its  
capacity as Receiver and Manager for  
P.O.S.E. Investments