

SUPERIOR COURT
(COMMERCIAL DIVISION)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

NO: 500-11-022700-047

DATE: July 29, 2005

IN THE PRESENCE OF THE HONOURABLE FRANÇOIS ROLLAND
CHIEF JUSTICE

IN THE MATTER OF THE ARRANGEMENT OF :

EAUX VIVES HARRICANA INC.

-and-

EVH U.S.A. INC.

-and-

LES SOURCES PÉRIGNY INC.

Petitioners

-and-

RICHTER & ASSOCIÉS INC.

Monitor

ORDER

[1] I, the undersigned, Chief Justice of the Superior Court, in and for the District of Montréal, after having examined the Motion for the extension of time for the

filing of the plan of arrangement (the "**Motion**"), after having read the affidavit submitted in support thereof:

- [2] **GIVEN** the reasons alleged in the Motion duly supported by an affidavit;
- [3] **GIVEN** the fact that the Motion is well founded;
- [4] **FOR THESE REASONS:**
- [5] **GRANT** the Motion;
- [6] **GRANT** the remedies and relief sought by Petitioners, Eaux Vives Harricana Inc. ("**EVH INC.**"), EVH U.S.A., Inc. ("**EVH U.S.A.**") and Les Sources Périgny Inc. ("**Sources Périgny**") (collectively, "**EVH**" which may from time to time refer to EVH INC. and/or EVH U.S.A. and/or Sources Périgny);
- [7] **EXEMPT EVH** from the service of the Motion and of any notice or delay of presentation;
- [8] **DECLARE** that EVH INC., EVH U.S.A. and Sources Périgny are debtor companies within the meaning of Section 2 of the *Companies Creditors Arrangement Act* ("**CCAA**") and that said Act applies to them, as affiliated debtor companies in accordance with Section 3 of the CCAA;
- [9] **DECLARE** that EVH INC., EVH U.S.A. and Sources Périgny have acted and are acting in good faith and with due diligence and that, as appears from the Motion, the circumstances are such that this Order should be rendered;
- [10] **DECLARE** that the allegations of the Motion, and the affidavit in support thereof, are sufficient at this stage to grant the relief sought by EVH;
- [11] **EXTEND** the Initial Order rendered on March 19, 2004 by the Honourable Rolland J.S.C., (as he then was) as amended and extended, and the stay of proceedings included therein until December 16, 2005 (inclusively);
- [12] **ORDER** provisional execution of this Order, notwithstanding any appeal and without the necessity of furnishing any security;
- [13] **THE WHOLE** without costs.

(S) François Rolland
FRANÇOIS ROLLAND,
CHIEF JUSTICE

COPIE CONFORME

Julie Dupuis
Greffier adjoint