

SUPERIOR COURT
(COMMERCIAL DIVISION)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

NO: 500-11-022700-047

DATE: May 27, 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.

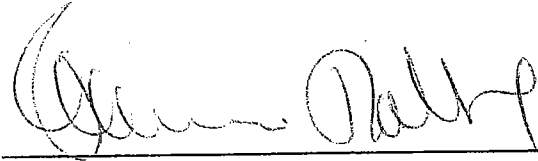
Monitor

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 said Motion duly supported by an affidavit and the representations made by counsel for Petitioners;
- [3] **GIVEN** the fact that the Motion is well founded;
- [4] **FOR THESE REASONS:**
- [5] **GRANT** the "Motion for the Extension of time for the filing of the plan of arrangement" (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 EVH, 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. (as he then was), as amended and extended, and the stay of proceedings included therein until **Friday, July 29, 2005** (inclusively);
- [12] **ACKNOWLEDGE** the default of Quebec Waters Inc. and its failure to complete the transaction contemplated in the Offer (as defined in the Order rendered by this Court on February 23, 2005 in file no. 500-11-022700-047 (the "**February 23, 2005 Order**"));
- [13] **DECLARE** that as a result of Quebec Waters' default under the Offer, the conclusions contained in paragraphs 8, 14, 17, 18 and 22 to 36 of the February 23, 2005 Order ordering EVH and the Monitor to complete the transaction contemplated in the Offer are of no effect;
- [14] **DECLARE** that this Order does not affect EVH's rights and recourses against Quebec Waters Inc. or any other person as a result of Quebec Waters' default under the Offer, including with respect to the confiscation of any deposit made in connection with the Offer;

- [15] **ORDER** provisional execution of this Order notwithstanding any appeal and without the necessity of furnishing any security;
- [16] **THE WHOLE**, without costs.



FRANÇOIS ROLLAND,
CHIEF JUSTICE

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