

**SUPERIOR COURT
(COMMERCIAL DIVISION)**

**CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL**

NO: 500-11-022700-047

DATE: December 14, 2004

IN THE PRESENCE OF FRANÇOIS ROLLAND S.C.J.

**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, Judge 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;

- [3] **GIVEN** the fact that said Motion is well founded;
- [4] **FOR THESE REASONS:**
- [5] **GRANT** the present "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 this 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 the Order sought herein should be rendered (the "**Order**");
- [10] **DECLARE** that the allegations of EVH, and the affidavit in support thereof, are sufficient at this stage to grant the reliefs sought by EVH;
- [11] **EXTEND** the Initial Order rendered on March 19, 2004 by Mr. Justice François Rolland, as amended and extended, and the stay of proceedings included therein until **Monday, February 28, 2005 inclusively**;
- [12] **ORDER** provisional execution of the Order, notwithstanding any appeal and without the necessity of furnishing any security;
- [13] **THE WHOLE**, without costs.

(S) François Rolland
FRANÇOIS ROLLAND S.C.J.

