

# SUPERIOR COURT

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTRÉAL

NO: 500-11-026779-054

DATE: June 21, 2006

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**PRESENT:** The Honourable Daniel H. Tingley

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

**MINCO-DIVISION CONSTRUCTION INC.**

**-and-**

**SLEB 1 INC.**

Petitioners

**-and-**

**LITWIN BOYADJIAN INC.**

Monitor

**-and-**

**RSM RICHTER INC.**

Interim Receiver

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## REVISED ORDER

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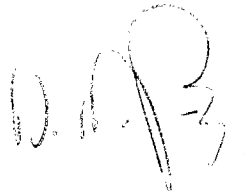
- [1] **CONSIDERING** the Petitioners' Motion to Vary the Powers of the Monitor;
- [2] **CONSIDERING** the representations made by counsel present, including the contestation made by TCC (Sleb 1) Limited Partnership with respect to its assertion that the Monitor and the Petitioners shall be in sole control of the CCAA process under the supervision of this Court;
- [3] **FOR THESE REASONS, THE COURT:**

- [4] **REVISES** the Order rendered by this Court on June 20, 2006
- [5] **GRANTS** the present Motion;
- [6] **ORDERS** that until further Order of this Court, the Monitor shall not use, to the extent that any proceeds remain, any portion of the DIP Facility that was allocated to the Interim Receiver nor increase the amount of the existing DIP Facility;
- [7] **DECLARES** that the delay for service of the present Motion is hereby abridged such that the present Motion is properly presentable and that any requirement for additional notice or service of the present Motion is hereby dispensed with;
- [8] **ORDERS** that effective from the time of the discharge of the Interim Receiver that all conservatory powers previously entrusted with the Interim Receiver be assumed by the Monitor for all legal purposes;
- [9] **ORDERS** the turnover by the Interim Receiver to the Monitor of originals or copies (at the request of the Monitor and at the Petitioners' expense) of the relevant documentation in the possession of the Interim Receiver related, *inter alia*, to the assets and liabilities of the Petitioners, the information located in the data room maintained by the Interim Receiver, the suppliers and contractors' files relating to work performed by subcontractors and other workmen both before the issuance of the Initial Order and subsequent thereto including contracts, purchase orders, invoices, change orders, as well as any engineers, architects and cost consultants' certificates and reports and any other relevant documents related to the administration by the Interim Receiver up to the date of its discharge, the whole subject to any confidentiality or other legitimate concerns the Interim Receiver may have with respect to the turnover of any specific document, in which case the issue shall be submitted to the Court;
- [10] **DECLARES** the Orders to be rendered pursuant hereto executory notwithstanding any appeal;
- [11] **THE WHOLE WITHOUT COSTS.**

COPIE CONFORME

Elaine C-Nova

Greffier adjoint



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Daniel H. Tingley, J.S.C.