

Court File No.:

178711 ONTARIO INC. C/O PETER WATTS, et al.
Applicants

and

BRIAN KEVIN POREBA
Respondents

12/64/11.

Order to go in lim 1 draft
Endorsement attached.

- Adj. to May 27/11.

May 27/11 ^{McG} signed on

consent.

Shelley

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)

IN THE MATTER OF AN APPLICATION UNDER
SECTION 47 OF THE BANKRUPTCY AND
INSOLVENCY ACT, R.S.C. 1985, C. B-3
AND IN THE MATTER OF SECTION 101 OF THE
COURTS OF JUSTICE ACT, R.S.O. 1990, C.C-43

Proceeding commenced at Toronto

APPLICATION RECORD

(Application for the Appointment of an Interim Receiver,
returnable May 10, 2011)

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Lawyers for the Applicants

PAUL-ERIK VEEL for the Respondents.

TRUNG NGUYEN for the Applicants.

LARRY ELLIS for the Interim Receiver, Pricewaterhouse Coopers ~~(the "Interim Receiver")~~
(the "Interim Receiver")

- Counsel for the Applicants has requested clarification
- ① regarding the scope of particular provisions of the Interim Receivership Order granted by Justice Morawetz on May 10, 2011 (the "Order").

- I confirm that, pursuant to section five of the Order, Brian Kevin Poreba and Victor Osztrovics shall grant the Interim Receiver immediate and unfettered access to any
- ② and all external portions of the real property where Mr. Poreba and Mr. Osztrovics reside, including but not limited to any sheds, barns, kilns or any other structure located on such property.

- Additionally, I confirm that Mr. Poreba and Mr. Osztrovics shall grant the Interim Receiver access to their personal residences, only for the limited purpose of making a copy of ~~that~~ any computers contained therein. This is
- ④ without prejudice to the Applicant's position that the existing Order allows for full, unfettered access to the personal residence. For further clarity, Mr. Osztrovics and Mr. Poreba shall provide full and unfettered access to the computers, including providing any usernames and passwords necessary to access them. The Interim Receiver acknowledges that the information on the computers may contain

Mr. Poreba and Mr. Ostrovics shall also disclose to the Interim Receiver any and all locations where their Property (as defined in the Order) ~~is~~ is located. Mr. Poreba and Mr. Ostrovics shall assist the Interim Receiver in its efforts to gain access to these assets.

⑤ Mr. Poreba and Mr. Ostrovics shall provide ^{such} access to their personal residences to the Interim Receiver by no later than 12 pm, May 13, 2011, and until such time as the Interim Receiver has completed their copying of the computers.

⑤ ⑥ The Order continues to apply until further order of the Court.

⑦ The balance of the Application is adjourned to May 27, 2011 for a full day hearing.

