

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

JUSTICE Hoy

) THURSDAY, THE 10TH

)

) DAY OF JUNE, 2010

BETWEEN:

BANK OF MONTREAL

Applicant

- and -

ACS PRECISION COMPONENTS PARTNERSHIP

Respondent

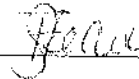
ORDER

THIS MOTION, made by Zeifman Partners Inc. (the "Receiver"), in its capacity as Receiver of ACS Precision Components Partnership ("ACS"), for an Order that AarKel Tool & Die Inc. ("AarKel") forthwith deliver up possession to the Receiver of ten Modular Inserts built by AarKel for ACS pursuant to Purchase Order number 331895 issued November 5, 2009 by ACS to AarKel was heard this day at the Court House, 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion and the Receiver's Fourth Report to the Court dated June 8, 2010, the consent of AarKel, filed, and on hearing the submissions of the lawyers for the Receiver and counsel for such other parties as present, and Brose North America, Inc. having advised the Court that it is prepared to deposit with the Receiver the sum of \$47,646.65 CAD (the "Fund") to be held by the Receiver on the terms of this Order,

1. THIS COURT ORDERS that the time for and method of service of the Notice of Motion and the Receiver's Fourth Report is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof;

2. THIS COURT ORDERS that the Fund shall be held by the Receiver in a separate interest bearing account pending further order of the Court;
3. THIS COURT ORDERS that upon the Receiver providing written confirmation to the solicitor for AarKel, Julian Nawrocki, that the Receiver has received the Fund, AarKel shall forthwith thereafter deliver up to the Receiver possession of the seven Production Modular Inserts (the "Production Modular Inserts"), as specified in Schedule A to this Order;
4. THIS COURT ORDERS that for the purpose of determining the nature, amount and priority of any claim, including any ownership claim, (collectively the "Claims") that AarKel may have with respect to the Production Modular Inserts, the Fund shall stand in the place and stead of the Production Modular Inserts and that the Claims shall cease to attach to the Production Modular Inserts and shall attach to the Fund in the same amount and with the same nature and priority as they had with respect to the Production Modular Inserts as if the Production Modular Inserts had not been delivered up to the Receiver and remained in the possession or control of AarKel;
5. THIS COURT ORDERS that this motion shall be adjourned *sine die* returnable on seven days notice with respect the three capacity Modular Inserts, as specified in Schedule B to this Order.



Tara Stead
Registrar, Superior Court of Justice

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

JUN 10 2010

PER / PAR:



SCHEDULE A

Production Modular Inserts in the Possession of AarKel

	Modular Insert No.	Item No. on Purchase Order #331895 issued on November 5, 2009 from ACS to AarKel
1	932215	20
2	932249	19
3	932307	17
4	932198	1
5	932200	2
6	932253	7
7	932229	8

SCHEDULE B

Capacity Modular Inserts in the Possession of AarKel

	Modular Insert No.	Item No. on Purchase Order #331895 issued on November 5, 2009 from ACS to AarKel
1	932215	14
2	932249	13
3	932307	11

BANK OF MONTREAL
Applicant and

ACS PRECISION COMPONENTS
Respondent

Court File No: 10-8702-00CL

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Proceeding commenced at Toronto

ORDER

MILLER THOMSON LLP
ONE LONDON PLACE
255 QUEENS AVENUE, SUITE 2010
LONDON, ON CANADA N6A 5R8

Tony Van Klink LSUC#: 29008M
Tel: 519.931-3509
Fax: 519.858.8511

Lawyers for Zeifman Partners Inc.,
Receiver