

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.

JUSTICE CAMERON

) MONDAY, THE 17TH

)

) DAY OF MAY, 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 Omega Tool Corporation ("Omega") forthwith deliver up possession to the Receiver of the two cavity 2-shot mold (the "Mold") built by Omega for ACS pursuant to Purchase Order Number 330426 issued March 16, 2009 by ACS to Omega was heard this day at the Court House, 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Receiver, including the Receiver's First Report to the Court dated May 14, 2010, and on hearing the submissions of the lawyers for the Receiver, A.G. Simpson Automotive Inc. ("AG Simpson") and ~~Omega Tool Corporation ("Omega")~~ and counsel for such other parties as present, *Se*

1. THIS COURT ORDERS that the time for and method of service of the Notice of Motion and Motion Record 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 Omega forthwith deliver up possession of the Mold to the Receiver;
3. THIS COURT ORDERS that a Writ of Delivery shall issue with respect to the Mold;
4. THIS COURT ORDERS that the delivery up of possession of the Mold by Omega to the Receiver shall be without prejudice to the rights and claims of all parties asserting a claim against the Mold;
5. THIS COURT ORDERS that for the purposes of determining the nature and priority of all claims against the Mold, such claims shall have the same priority as they had with respect to the Mold immediately prior to the delivery up of the Mold to the Receiver, as if the Mold had not been delivered up to the Receiver and remained in the possession or control of Omega.



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

MAY 17 2010

PER / PAR: 

BANK OF MONTREAL
Applicant and

ACS PRECISION COMPONENTS
Respondent

Court File No: 10-8702-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE -
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

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