

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE *MADAM*) TUESDAY, THE 15TH
JUSTICE *HOY*)
) DAY OF JUNE, 2010

BETWEEN:

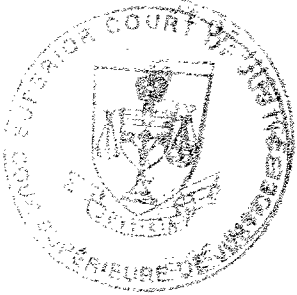
BANK OF MONTREAL

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,

- (a) if necessary, an Order abridging the time for and validating the method of service of the Notice of Motion and directing that any further service of the Notice of Motion be dispensed with such that this motion is properly returnable on June 15, 2010;
- (b) an Order accepting and approving the Third Report of the Receiver to the Court dated June 3, 2010 (the "Third Report") and approving the activities of the Receiver described therein;
- (c) an Order approving the key employee retention plan described in the Third Report;
- (d) directions for the determination of the claims, if any, of Omega Tool Corporation ("Omega") to the 2 cavity 2 shot mold built by Omega for ACS pursuant to purchase order number 330426 issued March 16, 2009 by ACS to Omega, being the mold which is the subject matter of the Order of the Honourable Mr. Justice Cameron dated May 17, 2010;


- (e) directions for the determination of the claims, if any, of Aalbers Tool & Mold Inc. ("Aalbers") to the sum of US\$203,032 (the "Aalber's Fund") being held by the Receiver pursuant to the Order of the Honourable Justice Pepall dated May 28, 2010 in the place and stead of a roller cage mold and related inserts built by Aalbers for ACS pursuant to purchase order number 331148 issued July 6, 2009 by ACS to Aalbers;
- (f) an Order that the Confidential Supplement to the Third Report be sealed pending further Order of this Court; and
- (g) Such further and other relief as counsel may advise and this Honourable Court may deem just.

was heard this day at the Court House, 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Motion, the Receiver's Third Report to the Court dated June 8, 2010 (the "Third Report"), the Confidential Supplement to the Third Report, and on hearing the submissions of the lawyers for the Receiver and the lawyers for such other parties as present,

1. THIS COURT ORDERS that the time for and method of service of the Notice of Motion and the Receiver's Third 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 Third Report is hereby accepted and approved and the Receiver's activities as set out in the Third Report be and are hereby approved.
3. THIS COURT ORDERS that the Key Employee Retention Plan described in the Third Report be and is hereby approved.
4. THIS COURT ORDERS that if Omega and Aalbers wish to assert claims to the Omega Tooling and the Aalbers Fund respectively, they shall each file a motion to have their claims determined by the Court by serving on the Receiver and the Service List and filing with the Court by no later than July 16, 2010 a Motion Record for such purpose. Such motions shall all be returnable on the same date with an initial return date to be agreed by the lawyers for the Receiver, Omega and Aalbers or as further ordered by the Court.

5. THIS COURT ORDERS that the Confidential Supplement to the Third Report be sealed pending further Order of this Court.



Christina Laslavic
Registrar, Superior Court of Justice

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

JUN 15 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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