

IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 243(1) OF THE  
BANKRUPTCY AND INSOLVENCY ACT, R.S.C. 1985, c. B-3, AS AMENDED

AND IN THE MATTER OF SECTION 101 OF THE COURTS OF JUSTICE ACT, R.S.O. 1990, c.  
C-43, AS AMENDED

Court File No. CV-10-8746-00CL

June 8, 2010

Mr DaRe for Moriah (Applicant)  
Mr Kraft for Debtor  
Mr MacNeil for Travelers Guaranteed

Applicant seeks an adjournment of  
the portion of this application relating to  
the approval of vesting order. It has  
received calls from a number of  
parties on the service list I has  
consented to their requests for an  
adjournment. Travelers - a surety  
bonding co - has guaranteed the performance  
of construction contracts to which  
the Debtor Central is a party. I also  
guaranteed that sub'ens will be  
paid. There are construction registered; it  
for example, required time to investigate  
the status of its disbursements & the  
then effect in it of the proposed sale.

Re: the proposed sale agreement,

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

Proceedings commenced at Toronto

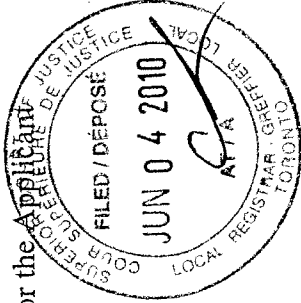
APPLICATION RECORD OF MORIAH  
CAPITAL, L.P.

FOGLER, RUBINOFF LLP

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Lawyers for the Applicant

unrecovered

(2)

I have indicated that classification of the "earn out" notes to be made in satisfaction of the

birth of the purchase price would be

Nettled. Each of the notes refers to net

income of the purchaser; who is the purchaser?

What (other) activities does it undertake?

What (if any) restrictions are there ~~on~~ on

activities that the "purchaser" might undertake

that might affect the EBIT calculation?

As to the portion of this application not

advised, I am satisfied that the

apt of a receiver is just a convenience,

an order shall come accordingly.

Respectfully,  
W. O. T.