

ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST

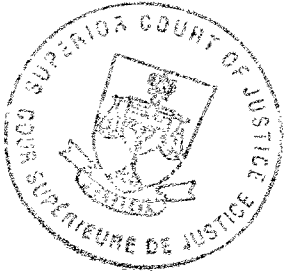
THE HONOURABLE *MR.* ) TUESDAY, THE 30th DAY  
JUSTICE *CAMPBELL* ) OF December, 2008

BETWEEN:

**SAGECREST HOLDINGS LIMITED and SAGECREST FINANCE LLC**

Applicants

-and-



**THE EASTWOOD HARVEY CORPORATION**

Respondent

APPLICATION UNDER Section 47.(1) of the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3, and Section 101 of the Courts of Justice Act, R.S.O. 1990, c. C.43.

**DISCHARGE ORDER**

THIS MOTION, made by Shiner Kideckel Zweig Inc. in its capacity as the Court-Appointed Interim Receiver and Receiver and Manager (the "**Receiver**") of the assets, undertakings and properties of The Eastwood Harvey Corporation (the "**Debtor**"), for an order:

1. approving the activities of the Receiver as set out in the Second Report of the Receiver dated December 22, 2008 (the "**Second Report**");
2. approving the fees and disbursements of the Receiver and its counsel;

3. approving the distribution of the remaining proceeds available in the estate of the Debtor; and
4. discharging Shiner Kideckel Zweig Inc. as Receiver;

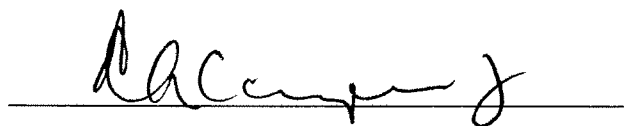
was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Second Report, the affidavits of Alan Shiner, Mark G. Klar and Brandon Jaffe as to fees (the "Fees Affidavits"), and on hearing the submissions of counsel for the Receiver and the Applicant, no one else appearing although served as evidenced by the Affidavit of Lucy Caterina sworn December 23, 2008 filed;

1. THIS COURT ORDERS that the activities of the Receiver, as set out in the Second Report, are hereby approved.
2. THIS COURT ORDERS that the fees and disbursements of the Receiver and its counsel, as set out in the Second Report and the Fees Affidavits, are hereby approved.
3. THIS COURT ORDERS that, after payment of the fees and disbursements herein approved, the Receiver is authorized and directed to distribute funds to the Applicants, R&D Capital Inc. and The Bank of Nova Scotia as described in the Second Report.
4. THIS COURT ORDERS that upon payment of the amounts set out in paragraph 3 hereof, and upon the Receiver filing a certificate certifying that it has completed the other activities described in the Second Report, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of Shiner Kideckel Zweig Inc. in its capacity as Receiver.

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ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

DEC 30 2008



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**SAGECREST HOLDINGS LIMITED and SAGECREST FINANCE LLC**

**Applicants**

**and**

**THE EASTWOOD HARVEY CORPORATION**

**Respondent**

Court File No. CV-08-0000755300CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**  
Proceedings commenced at TORONTO

**DISCHARGE ORDER**

**CHAITONS LLP**  
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**Solicitors for Shiner Kideckel Zweig Inc.,  
Court Appointed Interim Receiver and  
Receiver and Manager of the assets,  
undertakings and properties of The  
Eastwood Harvey Corporation**