

Sept 22/09

The parties seek an order on consent that this matter be transferred to the Commercial list. I am satisfied that it is appropriate to do so given the fact that the ~~relevant~~ principal location, the parent corporation and all counsel reside in Ontario.

Given the go in the form attached, the parties agreeing before me today, being the debtor, the Proprietor/Trustee and TPS Capital Corporation / Paul Walker (Attorney & Broker) not being involved in this case, understand that notwithstanding the provisions of Schedule C to the Order they propose that often are to be observed to the Proprietor/Trustee, the order process contemplated there by is to be a debtor-driven process.

As above - NJT

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

PROCEEDING COMMENCED AT WINDSOR

MOTION RECORD
(Returnable September 22, 2008)

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