

# **EXHIBIT K-5**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 15
	)	
HOLLINGER INC., <u>et al.</u> , <sup>1</sup>	)	Case No. 07-11029 (PJW)
	)	
Debtors in Foreign Proceedings.	)	Jointly Administered
	)	
	)	

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**ORDER GRANTING RECOGNITION AND RELIEF IN AID OF FOREIGN MAIN  
PROCEEDING PURSUANT TO 11 U.S.C. §§ 1515, 1517 AND 1520**

Upon the petitions filed under chapter 15 of title 11 of the United States Code (the "Bankruptcy Code") and the required documents thereto (the "Chapter 15 Petitions") by Hollinger Inc. ("Hollinger") and its affiliated captioned debtors and participants (collectively, with Hollinger, the "Debtors"); the Declaration of G. Wesley Voorheis, Chief Executive Officer of Hollinger Inc., in Support of (I) Petitions for Recognition of Canadian Proceeding Under 11 U.S.C. § 1515; (II) Debtors' Motion for Order Directing Joint Administration of Chapter 15 Bankruptcy Cases Under Fed. R. Bankr. P. 1015(b); and (III) Debtors' Motion for Temporary Restraining Order and, After Notice and a Hearing, a Preliminary Injunction Granting Provisional Relief under 11 U.S.C. § 1519(a) (the "Voorheis Declaration"); and the Memorandum of Points and Authorities in Support of Chapter 15 Petitions for Recognition of Foreign Main Proceeding Under 11 U.S.C. § 1515 and Debtors' Motion for Temporary Restraining Order and, After Notice and a Hearing, a Preliminary Injunction Granting Provisional Relief Under 11 U.S.C. § 1519(a) (the "Memorandum") related to a proceeding (the

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<sup>1</sup> These jointly administered cases are those of the following debtors: Hollinger Inc.; Sugra Limited; and 4322525 Canada Inc., f/k/a 504468 N.B. Inc.

“Canadian Proceeding”) under Canada’s *Companies’ Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the “CCAA”), pending before the Ontario Superior Court of Justice (Commercial List) (the “Canadian Court”); and the Court having considered and reviewed the Chapter 15 Petitions, the Voorheis Declaration and the Memorandum; and upon the record of the statements made by interested parties; and after due deliberation and sufficient cause appearing therefor, the Court finds and concludes as follows:

a) This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334;

b) This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(P);

c) Venue is proper in this District pursuant to 28 U.S.C. § 1410;

d) Hollinger is duly appointed to act as the foreign representative (the “Foreign Representative”) of the Debtors within the meaning of sections 101(24) and 1517(a)(2) of the Bankruptcy Code;

e) These chapter 15 cases were properly commenced in compliance with and pursuant to sections 1504 and 1515 of the Bankruptcy Code;

f) The Chapter 15 Petitions satisfy the requirements of section 1515 of the Bankruptcy Code;

g) The Canadian Proceeding is a foreign proceeding within the meaning of section 101(23) of the Bankruptcy Code and is entitled to recognition as a foreign proceeding by this Court pursuant to sections 1515 and 1517(a) of the Bankruptcy Code;

h) The Canadian Proceeding is entitled to recognition as a foreign main proceeding pursuant to sections 1502(4) and 1517(b)(1) of the Bankruptcy Code as the Debtors have their center of main interests in Canada; and

i) Recognition of the Canadian Proceeding as a foreign main proceeding is necessary and appropriate, in the interests of the public and international comity, consistent with the public policy of the United States, warranted pursuant to sections 1520 and 1521 of the Bankruptcy Code, and will not cause hardship to plaintiffs in litigation against the Debtors, if any, or any other parties-in-interest that is not outweighed by the benefits of granting the relief set forth herein.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Canadian Proceeding is granted recognition pursuant to section 1517(a) of the Bankruptcy Code.

2. The Canadian Proceeding is recognized as a foreign main proceeding pursuant to section 1517(b)(1) of the Bankruptcy Code.

3. All relief afforded a foreign main proceeding pursuant to section 1520 of the Bankruptcy Code is granted without limitation. Specifically, the automatic stay of section 362 of the Bankruptcy Code applies with respect to the Debtors and any property of the Debtors that is within the territorial jurisdiction of the United States.


4. Additional relief pursuant to sections 1521(a)(5) and 1521(b) of the Bankruptcy Code, including, but not limited to, entrusting the administration, realization and distribution of the Debtors' assets located within the territorial jurisdiction of the United States to the Foreign Representative, is granted.

5. No action taken by the Foreign Representative, the Debtors or each of their successors, agents, representatives, advisors or counsel, in preparing, disseminating, applying for, implementing or otherwise acting in furtherance of or in connection with the Canadian Proceeding, this Order or these chapter 15 cases or any adversary proceeding herein, or

any further proceeding commenced hereunder, shall be deemed to constitute a waiver of the immunity afforded such person under sections 306 and 1510 of the Bankruptcy Code.

6. This Court shall retain jurisdiction with respect to the enforcement, amendment or modification of this Order, any requests for additional relief or any adversary proceeding brought in and through these chapter 15 cases, and any request by an entity for relief from the provisions of this Order, for cause shown, that is properly commenced and within the jurisdiction of this Court.

Dated: August ~~28~~ 2007  
Wilmington, Delaware

  
THE HONORABLE PETER J. WALSH  
UNITED STATES BANKRUPTCY JUDGE