

IN THE MATTER OF Section 47(1) of the *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990, C. C. 43, AS AMENDED, AND SECTION 68 OF THE *CONSTRUCTION LIEN ACT*, R.S.O. 1990, C. C. 30, AS AMENDED

WESTLB AG, TORONTO BRANCH

v.

THE ROSSEAU RESORT DEVELOPMENTS INC.

Applicant Respondent

ONTARIO

SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

Proceeding commenced at Toronto

MOTION RECORD
(Returnable December 7, 2010)

BLAKE, CASSELS & GRAYDON LLP

P.O. Box 25, Commerce Court West

199 Bay Street, Suite 2800

Toronto, Ontario M5L 1A9

Pamela L.J. Huff - LSUC#: 27344V

Tel: 416-863-2958

Fax: 416-863-2653

Katherine McEachern - LSUC#: 38345M

Tel: 416-863-2566

Fax: 416-863-2653

Lawyers for WestLB, AG, and Alvarez & Marsal Canada ULC
and Alvarez & Marsal Canada Inc. in their respective capacities
as Court-appointed Receiver and Manager, Trustee, and Interim
Receiver

FRASER MILNER CASGRAIN LLP

1 First Canadian Place

39th Floor, 100 King Street West

Toronto, Ontario M5X 1B2

R. Shayne Kukulowicz LSUC#: 30729S

Jane Dietrich LSUC # 49302U

Tel: 416-863 4467

Fax: 416-863 4592

Independent Lawyers for Alvarez & Marsal Canada ULC, and
Alvarez & Marsal Canada Inc., in their respective capacities as
Court-appointed Receiver and Manager, Trustee, and Interim
Receiver