

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**COMMERCIAL LIST**

*IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED*

*AND IN THE MATTER OF A PLAN OF COMPROMISE OR  
ARRANGEMENT OF INTERTAN CANADA LTD. AND  
TOURMALET CORPORATION*

APPLICANTS

**FOURTH REPORT OF THE MONITOR**  
**ALVAREZ & MARSAL CANADA ULC**  
**(dated February 6, 2009)**

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Solicitors for the Monitor

## I N D E X

### TAB

1. Fourth Report of the Monitor Alvarez & Marsal Canada ULC dated February 6, 2009  
Appendix "A" - U.S. Claims Bar Order dated December 10, 2008  
Appendix "B" - Stipulation and Consent Order dated January 29, 2009

# **TAB 1**

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**FOURTH REPORT OF THE MONITOR**

**ALVAREZ & MARSAL CANADA ULC**

**FEBRUARY 6, 2009**

**INTRODUCTION**

1. By Initial Order of this Honourable Court dated November 10, 2008, as amended and restated effective November 10, 2008 (the "Initial Order") InterTAN Canada Ltd. ("InterTAN") and Tourmalet Corporation ("Tourmalet" and together with InterTAN the "Applicants") obtained protection from their creditors under the *Companies' Creditors Arrangement Act* ("CCAA"). These proceedings are referred to herein as the "CCAA Proceedings".
2. Pursuant to the Initial Order, Alvarez & Marsal Canada ULC was appointed monitor during these CCAA proceedings (the "Monitor").
3. Concurrently with the commencement of these proceedings, the Applicants' ultimate parent company, Circuit City Stores, Inc. and certain of its U.S. affiliates (collectively the "U.S. Debtors") commenced proceedings under Chapter 11, Title 11 of the *United States Code* (the "Chapter 11 Proceedings") in the United States Bankruptcy Court for the Eastern District of Virginia (the "U.S. Court").

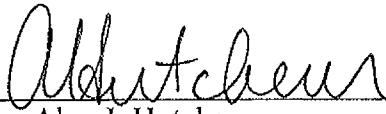
4. On December 12, 2008, the U.S. Debtors obtained an Order in the Chapter 11 Proceedings (the “U.S. Claims Bar Order”) setting a general bar date and procedures for filing proofs of claim that established January 30, 2009, at 5:00 p.m. Pacific Time as the deadline by which proofs of claim against the U.S. Debtors must be received. A copy of the U.S. Claims Bar Order is attached as Appendix “A” to this report.
5. By Stipulation and Consent Order dated January 29, 2009, a copy of which is attached as Appendix “B” (the “Stipulation”), the U.S. Bankruptcy Court ordered that the deadline for filing claims by the Applicants under the U.S. Claims Bar Order be extended until the earlier of March 31, 2009 or the last date for filing claims against the Applicants established in these proceedings. The Stipulation provides that the Applicants and the U.S. Debtors may agree to further extend the U.S. deadline for filing claims by the Applicants provided that they give notice of any such agreement to the Official Committee of Unsecured Creditors and the Monitor.
6. The Monitor has reviewed the Affidavit of Mark Wong sworn February 5, 2009 and the draft claims process being proposed by the Applicants. The proposed claims process is accurately and fairly summarized in Mr. Wong’s affidavit and therefore will not be repeated here. The Monitor agrees that it is important to implement a claims process at this time to establish the universe of pre-filing claims against the Applicants so as to enable parties to understand and analyze potential outcomes in these proceedings especially in light of the sale process that is already well underway.
7. As noted by Mr. Wong, the Monitor has been provided with input into the proposed claims process. The Monitor agrees that there is no need at this time to incur the cost and time required to engage in a detailed resolution of the claims that may be filed pursuant to the proposed claims process except as may be useful to reconcile the claims as filed with the books and records of the Applicants.
8. The Applicants propose to exclude inter-company claims by the U.S. Debtors from the claims process. The Monitor is of the view that the delivery of inter-company claims is not necessary at this time particularly in view of the exclusion of related-party claims from the definition of the Canadian Creditor Charge as defined in paragraph 41 and

recited as the 5<sup>th</sup> charge in paragraph 44 of the Initial Order. The Monitor has been advised that, pursuant to the terms of the Stipulation, the Applicants and the U.S. Debtors will enter into an agreement to further extend the time for filing of claims by the Applicant in the U.S. Proceedings in order to conform the application of the U.S. Claims Bar Order to the proposed claims process in this proceeding.

9. The Monitor therefore respectfully recommends that this Honourable Court grant the relief sought by the Applicants in terms of the draft claims process order filed.

All of which is respectfully submitted at Toronto, Ontario this 6<sup>th</sup> day of February, 2009.

**ALVAREZ & MARSAL CANADA ULC**  
in its capacity as Court appointed Monitor of  
InterTAN Canada Ltd. and Tourmalet Corporation

Per:   
Name: Alan J. Hutchens  
Title: Senior Director  
I/We have the authority to bind the corporation

# **APPENDIX “A”**



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Proposed Counsel to the Debtors  
and Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - x  
In re: : Chapter 11  
:  
CIRCUIT CITY STORES, INC., : Case No. 08-35653  
et al., :  
:  
Debtors. : Jointly Administered  
- - - - - x

**ORDER PURSUANT TO BANKRUPTCY CODE SECTIONS 105 AND 502  
AND BANKRUPTCY RULES 2002, 3003(c)(3), AND 9007  
(I) SETTING GENERAL BAR DATE AND PROCEDURES FOR FILING  
PROOFS OF CLAIM; AND (II) APPROVING FORM AND MANNER OF  
NOTICE THEREOF**

Upon the motion (the "Motion"),<sup>1</sup> of the Debtors  
for an order pursuant to Bankruptcy Code 105 and 502 and  
Bankruptcy Rules 2002, 3003(c)(3,) and 9007 (i) setting

<sup>1</sup> Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed to them in the Motion.



a general bar date and procedures for filing proofs of claim, and (ii) approving the form and manner of notice thereof; and the Court having reviewed the Motion and the Besanko Declaration; and the Court having determined that the relief requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED AND DECREED THAT:**

1. The Motion is GRANTED.
2. Pursuant to Bankruptcy Rule 3003(c)(3), all "entities" and "persons" (as defined respectively in 11 U.S.C. § 101(15) and (41)), except any governmental unit (as defined in 11 U.S.C. § 101(27)) that are creditors holding or wishing to assert "claims" (as defined in 11 U.S.C. § 101(5)) arising before the Petition Date against any of the Debtors are required to file with the Debtors' Claims Agent (as defined below),

on or before 5:00 p.m. (Pacific) on January 30, 2009 (the "General Bar Date") a separate, completed, and executed proof of claim form (conforming substantially to Official Bankruptcy Form No. 10) on account of any such claims in accordance with the procedures set forth below.

3. Pursuant to Bankruptcy Rule 3003(c) and Bankruptcy Code section 502(b)(9), any governmental units (as defined in 11 U.S.C. § 101(27)) that are creditors holding or wishing to assert "claims" (as defined in 11 U.S.C. § 101(5)) arising before the Petition Date against any of the Debtors are required to file, on or before 5:00 p.m. (Pacific) on May 11, 2009 (the "Governmental Bar Date") a separate, completed, and executed proof of claim form (conforming substantially to Official Bankruptcy Form No. 10) on account of any such claims in accordance with the procedures set forth below.

4. Notwithstanding the preceding paragraphs, creditors holding or wishing to assert the following types of claims (collectively, the "Excluded Claims") against the Debtors need not file a proof of claim:

- (i) Claims listed in the Schedules and Statements or any amendments thereto that are not therein listed as "contingent," "unliquidated" or "disputed" and that are not disputed by the holders thereof as to (a) amount, (b) classification or (c) the identity of the Debtor against whom such Claim is scheduled;
- (ii) Claims on account of which a proof of claim has already been properly filed with the Court or the Claims Agent appointed by the Bankruptcy Court against the correct Debtor; provided, however, that proofs of claim or requests for payment under 11 U.S.C. § 503(b)(9) ("503(b)(9) Claims") are governed by and must be filed in accordance with the Order Establishing Bar Date for Filing Requests for Payment of Administrative Expense Claims Under Bankruptcy Code Sections 105 and 503(b)(9) and Approving Form, Manner and Sufficiency of Notice of the Bar Date Pursuant to Bankruptcy Rule 9001 (Docket No. 107, Entered November 12, 2008) and, therefore, 503(b)(9) Claims are not Excluded Claims;
- (iii) Claims previously allowed or paid pursuant to an order of the Court;
- (iv) Claims allowable under 11 U.S.C. §§ 503(b) and 507(a)(2) as expenses of administration;
- (v) Claims of Debtors against other Debtors;
- (vi) Claims of current officers or directors of a Debtor for indemnification and/or contribution arising as a result of such officer's or director's postpetition service to a Debtor;

- (vii) Claims of landlords of unexpired leases of non-residential real property that have not been rejected prior to the General Bar Date, including, without limitation, any claim for pre-petition arrearages or other asserted pre-petition defaults. Claims for such leases that have been or are hereinafter rejected shall be filed by the later of (a) the General Bar Date, (b) thirty (30) days after the effective date of such rejection or (c) as otherwise provided by Order of this Court;
- (viii) Claims of Bank of America, N.A., as agent, and the Debtors' pre- and post-petition secured lenders for which Bank of America, N.A., served or serves as agent; and
- (ix) Claims related to the Debtors' gift cards purchased prior to the Petition Date.

5. Any holder of an interest in any of the Debtors (each an "Interest Holder"), which interest is based exclusively upon the current ownership of stock or other equity interest of any of the Debtors (an "Interest"), shall not be required to file a proof of Interest based solely on account of such Interest Holder's ownership interest in such Interest; provided, however, that any Interest Holder (other than a governmental unit) who wishes to assert a Claim against any of the Debtors based on any transaction in the Debtors' Interests, including but not limited to a Claim

for damages or rescission based on the purchase or sale of the Interests, shall file a proof of claim on or prior to the General Bar Date; provided, further, however, that any Interest Holder who is a governmental unit and wishes to assert a Claim against any of the Debtors based on any transaction in the Debtors' Interests, including but not limited to a Claim for damages or rescission based on the purchase or sale of the Interests, shall file a proof of claim on or prior to the Governmental Bar Date.<sup>2</sup>

6. Proofs of claim for rejection damages claims arising from the rejection of any unexpired lease or executory contract of a Debtor (an "Agreement") during these Bankruptcy Cases must be filed by the latest of (a) thirty days after the date of entry of an order of this Court authorizing the rejection of such Agreement, (b) thirty days after the effective date of the rejection of such Agreement, (c) any date set by another Order of the Court or (d) the General Bar Date. Proofs of claim for any other claims that arose prior to

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<sup>2</sup> The Debtors reserve the right to seek relief at a later date requiring Interest Holders to file proofs of interest.

the Petition Date with respect to a lease or contract must be filed by the General Bar Date.

7. The Debtors shall serve a notice (the "General Bar Date Notice") substantially in the form of the notice attached hereto as Exhibit 1 and a proof of claim form conforming substantially to Official Bankruptcy Form No. 10 by first class mail on or before December 19, 2008 to all known creditors and all known holders of the Debtors' equity securities as reflected in the Debtors' books and records, as well as U.S. state escheat or unclaimed property offices.

8. The Debtors shall publish a notice in a form substantially similar to the Bar Date Notice in the Richmond Times Dispatch and the national edition of the Wall Street Journal, and such other regional newspapers as the Debtors, in their sole discretion, deem appropriate no later than December 30, 2008.

9. All proofs of claim filed by mail, hand, or overnight courier shall be addressed to:

Circuit City Stores, Inc., et al.  
Claims Processing Dept.  
Kurtzman Carson Consultants LLC  
2335 Alaska Avenue  
El Segundo, CA 90245

10. A Proof of claim is deemed filed only when the proof of claim is actually received by Kurtzman Carson Consultants LLC (the "Claims Agent") at the above address. Proofs of claim submitted by facsimile or other electronic means shall be rejected by the Claims Agent and will not be deemed filed.

11. Any creditor holding or wishing to assert claims against more than one Debtor must file a separate proof of claim in the case of each Debtor against which the creditor believes it holds a claim and must identify on their proof of claim the particular Debtor against which their Claim is asserted and the case number of that Debtor's bankruptcy case. A proof of claim listing no reference to a particular Debtor or a proof of claim listing all of the Debtors will be deemed filed against Circuit City Stores, Inc., Case No., 08-35653.

12. Any creditor that is required to file but fails to file a proof of claim for its claim in accordance with the procedures set forth in this order on or before the General Bar Date, the Governmental Bar Date, or such other date established hereby (as



applicable) shall be forever barred, estopped, and enjoined from: (a) asserting any Claim against the Debtors that (i) is in an amount that exceeds the amount, if any, that is set forth in the Schedules as undisputed, noncontingent, and unliquidated or (ii) is of a different nature or in a different classification (any such claim referred to as an "Unscheduled Claim") and (b) voting upon, or receiving distributions under, any plan or plans of reorganization in these chapter 11 cases in respect of an Unscheduled Claim; and the Debtors and their property shall be forever discharged from any and all indebtedness or liability with respect to such Unscheduled Claim.

13. In the event that the Debtors amend the Schedules and Statements after having given notice of the General Bar Date as provided herein, the Debtors shall give notice of any amendment to the holders of claims affected thereby, and if the subject amendment reduces the unliquidated, noncontingent and liquidated amount or changes the nature or classification of a claim against a Debtor reflected therein, such holders shall be given until the later of (a) the General Bar

Date or (b) thirty (30) days from the date such notice is given (or such other time period as may be fixed by the Court) to file proofs of claim with respect to such affected claim, if necessary, or not be treated as a creditor for purposes of these chapter 11 cases in accordance with paragraph 12 above.

14. In the event that the Debtors amend the Schedules and Statements after having given notice of the Governmental Bar Date as provided herein, the Debtors shall give notice of any amendment to the holders of claims that are governmental entities (as defined in 11 U.S.C. § 101(27)) and that are affected thereby, and if the subject amendment reduces the unliquidated, noncontingent and liquidated amount or changes the nature or classification of a claim against a Debtor reflected therein, such holders shall be given until the later of (a) the Governmental Bar Date or (b) thirty (30) days from the date such notice is given (or such other time period as may be fixed by the Court) to file proofs of claim with respect to such affected claim, if necessary, or not be treated as a creditor for

purposes of these chapter 11 cases in accordance with paragraph (14) above.

15. Nothing in this Order shall, or shall be deemed to, prejudice the Debtors' right to object to any Claim, whether filed or scheduled (e.g., as contingent, unliquidated or disputed), on any ground, or to dispute, or to assert offsets against or defenses to, any claim reflected on the Schedules and Statements, or any amendments thereto, as to amount, liability, classification, or otherwise, and to subsequently designate any claim as disputed, contingent or unliquidated; provided, however, that if the Debtors have scheduled a claim as noncontingent, liquidated and undisputed, they must comply with the procedures in paragraphs 13 and 14 of this Order to object to such scheduled, noncontingent, liquidated and undisputed claim.

16. Nothing contained herein shall limit, abridge, or otherwise affect the Debtors' right to request that the Court fix a date by which the holder of a Claim that is specifically excluded from the

requirements to file such a Claim by this Order must file a proof of claim or interest.

17. The provisions of this Order apply to all Claims of whatever character against the Debtors or their property, whether such Claims are secured or unsecured, entitled or not entitled to priority, liquidated or unliquidated, or fixed or contingent.

18. The Debtors are authorized to take such steps and do such things as they deem to be reasonably necessary to fulfill the notice requirements established by this Order, including the expenditure of all sums reasonably necessary to implement the provisions of this Order.

19. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of and/or interpretation of this Order.

Dated: Richmond, Virginia  
December \_\_, 2008  
Dec 10 2008

/s/ Kevin Huenekens

UNITED STATES BANKRUPTCY JUDGE

Entered on docket: December 11 2008

WE ASK FOR THIS:

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- and -

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(804) 775-1089

Proposed Counsel to the Debtors  
and Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

I hereby certify that that the proposed order has  
been served upon or endorsed by all necessary parties.

/s/ Douglas M. Foley  
Douglas M. Foley

EXHIBIT 1

Form of Notice

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - X  
In re: : Chapter 11  
: :  
CIRCUIT CITY STORES, INC., : Case No. 08-35653  
et al., : :  
: :  
Debtors. : Jointly Administered  
- - - - - X

**NOTICE OF DEADLINE  
FOR FILING PROOFS OF CLAIM**

**TO ALL CREDITORS, EQUITY INTEREST HOLDERS OF THE DEBTORS AND OTHER  
PARTIES IN INTEREST:**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

On December 5, 2008, the United States Bankruptcy Court for the Eastern District of Virginia (the "Bankruptcy Court") entered an order (the "Bar Date Order") in the above captioned chapter 11 cases establishing **January 30, 2009 at 5:00 p.m. (Pacific time)** as the general claims bar date (the "General Bar Date") in the chapter 11 cases of the above-captioned debtors and debtors in possession (collectively, the "Debtors").<sup>1</sup> Except as described below, the Bar Date Order requires all Entities, as defined in section 101(15) of 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code"), including persons, estates, trusts and the United States trustee (but excluding governmental units), that have or assert any prepetition Claims (as defined herein) against any of the Debtors listed on page 4 below, to file a proof of claim so that such proof of claim is received on or before **5:00 p.m., Pacific Time**, on the General Bar Date at the following address if delivered by mail, hand delivery or overnight courier:

<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), PRAHS, INC. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. is 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address is 9950 Mayland Drive, Richmond, Virginia 23233.

Circuit City Stores, Inc., et al.  
Claims Processing Dept.  
Kurtzman Carson Consultants LLC  
2335 Alaska Avenue  
El Segundo, CA 90245

**DO NOT FILE YOUR PROOF OF CLAIM WITH THE BANKRUPTCY COURT.**

The Debtors intend to file their Schedules of Assets and Liabilities and Statements of Financial Affairs (the "Schedules and Statements") with the Bankruptcy Court by December 30, 2008. Copies of the Schedules and Statements can then be obtained at [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov) or [www.kccllc.net/circuitcity](http://www.kccllc.net/circuitcity).

#### **GOVERNMENTAL BAR DATE**

In accordance with 11 U.S.C. § 502(b)(9), any Claims of governmental units, as defined by 11 U.S.C. § 101(27), against any of the Debtors listed on page 4 below, must be filed and served so that such proof of claim is received on or before **May 11, 2009** (the "Governmental Bar Date") at **5:00 p.m., Pacific Time**, at the following address if delivered by mail, hand delivery or overnight courier:

Circuit City Stores, Inc., et al.  
Claims Processing Dept.  
Kurtzman Carson Consultants LLC  
2335 Alaska Avenue  
El Segundo, CA 90245

#### **DEFINITION OF CLAIM**

For purposes of this Bar Date Notice, "Claim" shall mean, as to or against any of the Debtors listed on page 4 below: (1) any right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured or unsecured; or (2) any right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

#### **PERSONS OR ENTITIES WHO MUST FILE A PROOF OF CLAIM**

Pursuant to the Bar Date Order, all Entities holding Claims against the Debtors (whether secured, priority or unsecured)



that arose prior to **November 10, 2008** (the "Petition Date") are required to file proofs of claim by the General Bar Date, unless such Claims are "Excluded Claims" as defined below. Excluded Claims as defined in the Bar Date Order are:

- (i) Claims listed in the Schedules and Statements or any amendments thereto that are not therein listed as "contingent," "unliquidated" or "disputed" and that are not disputed by the holders thereof as to (a) amount, (b) classification or (c) the identity of the Debtor against whom such Claim is scheduled;
- (ii) Claims on account of which a proof of claim has already been properly filed with the Bankruptcy Court or the Claims Agent appointed by the Bankruptcy Court against the correct Debtor; provided, however, that proofs of claim or requests for payment under 11 U.S.C. § 503(b)(9) ("503(b)(9) Claims") are governed by and must be filed in accordance with the Order Establishing Bar Date for Filing Requests for Payment of Administrative Expense Claims Under Bankruptcy Code Sections 105 and 503(b)(9) and Approving Form, Manner and Sufficiency of Notice of the Bar Date Pursuant to Bankruptcy Rule 9001 (Docket No. 107, Entered November 12, 2008) and, therefore, 503(b)(9) Claims are not Excluded Claims;
- (iii) Claims previously allowed or paid pursuant to an order of the Bankruptcy Court;
- (iv) Claims allowable under 11 U.S.C. §§ 503(b) and 507(a)(1) as expenses of administration;
- (v) Claims of Debtors against other Debtors;
- (vi) Claims of current officers or directors of a Debtor for indemnification and/or contribution arising as a result of such officer's or director's postpetition service to a Debtor;
- (vii) Claims of landlords of unexpired leases of non-residential real property that have not been rejected prior to the General Bar Date, including, without limitation, any claim for pre-petition arrearages or other asserted pre-petition defaults. Claims for such leases that have been or are hereinafter rejected shall be filed by the later of

(a) the General Bar Date, (b) thirty (30) days after the effective date of such rejection or (c) as otherwise provided by Order of this Court;

(viii) Claims of Bank of America, N.A., as agent, and the Debtors' pre- and post-petition secured lenders for which Bank of America, N.A., served or serves as agent; and

(ix) Claims related to the Debtors' gift cards purchased prior to the Petition Date.

Any Entity whose prepetition Claim against a Debtor is not listed in the applicable Debtor's Schedules and Statements or is listed as "disputed," "contingent" or "unliquidated" and that desires to participate in any of these chapter 11 cases or share in any distribution in any of these chapter 11 cases, and any Entity whose prepetition Claim is improperly classified in the Schedules and Statements or is listed in an incorrect amount or is scheduled against an incorrect Debtor and that desires to have its Claim allowed in a classification or amount other than that set forth in the Schedules and Statements or against a Debtor other than as set forth in the Schedules and Statements, must file a proof of claim on or before the General Bar Date. If your claim has been scheduled by the Debtors, the classification, amount, and Debtor against which your claim has been scheduled is indicated on the claim form included with this notice.

#### **Executory Contract and Lease Rejection Claims**

Any Entity whose Claims arise out of the rejection of an unexpired lease or executory contract of a Debtor (an "Agreement") pursuant to section 365 of the Bankruptcy Code during the Debtors' bankruptcy cases, must file a proof of claim on or before the latest of: (1) thirty (30) days after the date of the order, pursuant to Bankruptcy Code section 365, authorizing the rejection of such contract or lease; (2) any date set by another order of the Court or (3) the General Bar Date (the "Rejection Bar Date"). Proofs of claim for any other claims that arose prior to the Petition Date with respect to an Agreement must be filed by the General Bar Date.

#### **Other Important Information Regarding Filing Claims**

If, after the General Bar Date, any of the Debtors amend their Schedules and Statements to reduce the undisputed, noncontingent and liquidated amount or to change the nature or classification of a Claim against a Debtor reflected therein or to

change the Debtor against which a Claim has been scheduled, then the affected claimant shall have thirty (30) days from the date of service of notice thereof to file a proof of claim or to amend any previously filed proof of claim in respect of such amended scheduled Claim (the "Amended Schedule Bar Date").

Any Entity holding an interest in any Debtor (each an "Interest Holder"), which interest is based exclusively upon the current ownership of stock or other equity interest of any of the Debtors (an "Interest"), (an "Interest"), need not file a proof of Interest based solely on account of such Interest Holder's ownership interest in such Interest; provided, however, that any Interest Holder (other than a governmental unit) who wishes to assert a Claim against any of the Debtors based on any transaction in the Debtors' Interests, including but not limited to a Claim for damages or rescission based on the purchase or sale of the Interests, must file a proof of claim on or prior to the General Bar Date; provided, further, however, that any Interest Holder that is a governmental unit who wishes to assert a Claim against any of the Debtors based on any transaction in the Debtors' Interests, including but not limited to a Claim for damages or rescission based on the purchase or sale of the Interests, must file a proof of claim on or prior to the Governmental Bar Date.

#### FILING PROOFS OF CLAIM AGAINST MULTIPLE DEBTORS

Any Entity asserting Claims against more than one Debtor must file a separate proof of claim with respect to each such Debtor. All Entities must identify on their proof of claim the particular Debtor against which their Claim is asserted and the case number of that Debtor's bankruptcy case. A proof of claim listing no reference to a particular Debtor or a proof of claim listing all of the Debtors will be deemed filed against Circuit City Stores, Inc., Case No., 08-35653.

#### CONSEQUENCES OF FAILURE TO FILE PROOF OF CLAIM

Any creditor that is required to file but fails to file a proof of claim for its Claim in accordance with the procedures set forth herein on or before the General Bar Date, the Governmental Bar Date, or such other date established hereby (as applicable) shall be forever barred, estopped, and enjoined from: (a) asserting any Claim against the Debtors that (i) is in an amount that exceeds the amount, if any, that is set forth in the Schedules as undisputed, noncontingent, and unliquidated or (ii) is of a different nature or in a different classification (any such claim referred to as an "Unscheduled Claim") and (b) voting upon, or receiving distributions under, any plan or plans of

reorganization in these chapter 11 cases in respect of an Unscheduled Claim; and the Debtors and their property shall be forever discharged from any and all indebtedness or liability with respect to such Unscheduled Claim. If it is unclear from the Schedules and Statements whether your Claim is disputed, contingent or unliquidated as to amount or is otherwise properly listed and classified, you must file a proof of claim on or before the General Bar Date. Any Entity that relies on the Schedules and Statements bears responsibility for determining that its Claim is accurately listed therein.

#### RESERVATION OF RIGHTS

The Debtors reserve the right to: (1) dispute, or to assert offsets or defenses against, any filed Claim or any Claim listed or reflected in the Schedules and Statements as to nature, amount, liability, classification, Debtor or otherwise; or (2) subsequently designate any Claim as disputed, contingent or unliquidated. Nothing set forth in this Notice shall preclude the Debtors from objecting to any Claim, whether scheduled or filed, on any grounds.

#### TIME AND PLACE FOR FILING PROOFS OF CLAIM

A signed original of any proof of claim, substantially in the form annexed hereto, together with accompanying documentation, must be delivered so as to be received no later than 5:00 p.m., Pacific Time, on the General Bar Date, the Rejection Bar Date, the Governmental Bar Date or the Amended Schedule Bar Date, as applicable, depending upon the nature of the Claim, at the following address if delivered by mail, hand delivery or overnight courier:

Circuit City Stores, Inc., et al.  
Claims Processing Dept.  
Kurtzman Carson Consultants LLC  
2335 Alaska Avenue  
El Segundo, CA 90245

Any proof of claim submitted by facsimile or other electronic means will not be accepted and will not be deemed filed until such proof of claim is submitted by the method described in the foregoing sentence. Proofs of claim will be deemed filed only when actually received at the address listed above. If you wish to receive acknowledgment of the Debtors' receipt of your proof of claim, you must also submit a copy of your original proof of claim and a self-addressed, stamped envelope.

A creditor's proof of claim may be filed without the writings and/or documentation upon which the claim is based, as required by Bankruptcy Rule 3001(c) and (d); provided, however, that, upon the request of the Debtors or any other party in interest in these cases, any such creditor will be required to transmit promptly such writings and/or documentation to the Debtors or the other party in interest, but in no event later than ten (10) days from the date of such request.

#### ADDITIONAL INFORMATION

If you require additional information regarding the filing of a proof of claim, you may contact the Debtors in writing, through their counsel, at the address listed below. You may also contact Kurtzman Carson Consultants LLC, at (888)830-4650 between 9:00 a.m. and 5:00 p.m. The claims registers for the Debtors will be available at the office of Kurtzman Carson Consultants LLC, 2335 Alaska Avenue, El Segundo, CA 90245.

Approved by the United States Bankruptcy Court for the Eastern District of Virginia on December \_\_, 2008.

Dated: December \_\_, 2008  
Richmond, Virginia

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Counsel for Debtors and Debtors in  
Possession

**Debtors and Debtors in Possession  
and the Last Four Digits of their Respective Taxpayer  
Identification Numbers**

Circuit City Stores, Inc. (3875)  
Abbott Advertising Agency, Inc. (4659)  
Circuit City Stores West Coast, Inc. (0785)  
CC Distribution Company of Virginia, Inc. (2821)  
Circuit City Properties, LLC (3353)  
Patapsco Designs, Inc. (6796)  
Ventoux International, Inc. (1838)  
Sky Venture Corporation (0311)  
PRAHS, INC. (n/a)  
XSStuff, LLC (9263)  
Kinzer Technology, LLC (2157)  
Circuit City Purchasing Company, LLC (5170)  
Orbyx Electronics, LLC (3360)  
InterTAN, Inc. (0875)  
CC Aviation, LLC (0841)  
Courchevel, LLC (n/a)  
Circuit City Stores PR, LLC (5512)  
Mayland MN, LLC (6116)

# **APPENDIX “B”**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

-----X  
In re: : Chapter 11  
: :  
CIRCUIT CITY STORES, Inc., *et al.*, : Case No. 08-35653 (KRH)  
: :  
Debtors. : (Jointly Administered)  
: :  
-----X

**STIPULATION AND CONSENT ORDER BY AND AMONG THE DEBTORS AND  
CERTAIN CANADIAN SUBSIDIARIES REGARDING BAR DATE**

This stipulation and agreement (the "**Stipulation**") is made this 26th date of January 2009 by and among Circuit City Stores Inc. and certain of its subsidiaries (together, the "**Debtors**") and InterTAN Canada Limited and Tourmalet Corporation, Canadian subsidiaries of the Debtors (the "**Canadian Subsidiaries**"), to extend the date by which any and all proofs of claim of the Canadian Subsidiaries against the Debtors must be filed in these chapter 11 proceedings.

**Background**

WHEREAS, on November 10, 2008, the Debtors filed voluntary petitions in this Court for relief under chapter 11 of the Bankruptcy Code with the United States Bankruptcy Court for the Eastern District of Virginia (the "**Bankruptcy Court**"). On the same day, the Bankruptcy Court ordered joint administration of the Debtors' cases under *Circuit City Stores, Inc., et al.*, Case No. 08-35653 (KRH) (Docket No. 77).

WHEREAS, on November 10, 2008, the Canadian Subsidiaries commenced proceedings under Canada's *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. c-36, as amended (the "**Canadian Proceedings**"), in the Ontario Superior Court of Justice (Commercial List) (the "**Canadian Court**").

J.R. Smith [VSB No. 41913]  
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WHEREAS, on November 12, 2008, the Bankruptcy Court granted the Debtors' motion for an order authorizing the retention of Kurtzman Carson Consultants LLC as claims, noticing, and balloting agent for the Debtors (Docket No. 108).

WHEREAS, on December 12, 2008, the Bankruptcy Court entered the Order (I) Setting General Bar Date and Procedures for Filing Proofs of Claim; and (II) Approving Form and Manner of Notice Thereof (the "**Bar Date Order**," Docket No. 890). The Bar Date Order established January 30, 2009 at 5:00 P.M. Pacific Time as the deadline by which proofs of claim filed against the Debtors must be received by Kurtzman Carson Consultants LLC or by the Bankruptcy Court (the "**Bar Date**").

WHEREAS, the Canadian Court has not yet established a date for the filings of claims in the Canadian Proceedings.

WHEREAS, the Debtors are investigating the nature and extent of claims they may have against the Canadian Subsidiaries.

WHEREAS, the Canadian Subsidiaries are investigating the nature and extent of claims they may have against the Debtors and believe that the bar dates for the claims of the Canadian Subsidiaries in these proceedings should coincide with the bar date for claims of the Debtors herein in the Canadian Proceedings, which claims process has not yet been established in the Canadian Proceedings. Accordingly, the Canadian Subsidiaries have requested, and the Debtors have agreed, to provide additional time for the Canadian Subsidiaries to file proofs of claim.

NOW THEREFORE, it is hereby stipulated and agreed, upon order of the Bankruptcy Court:

1. The Bar Date Order is hereby modified and amended to extend the time by which any and all proofs of claim of the Canadian Subsidiaries must be filed to the earlier of (a) March 31, 2009 at 5:00 p.m. Pacific Time, and (b) the date established by the Canadian Court as the last day to file claims against the Canadian Subsidiaries in the Canadian Proceedings, provided, however that the Debtors and the Canadian Subsidiaries can further extend the Bar Date by written agreement with notice to the Official Committee of Unsecured Creditors and Alvarez & Marsal Canada ULC as Monitor appointed in the Canadian Proceedings but without the need for any other notice or order of this Court. Other than extending the Bar Date, this Stipulation shall not affect the requirements of the Bar Date Order, any other Order of the Bankruptcy Court, or any other requirement applicable to the claims of the Canadian Subsidiaries against the Debtors. The Debtors fully reserve their rights to object to any such proofs of claim that may be filed.

2. The Bankruptcy Court shall retain jurisdiction over all matters or disputes concerning this Stipulation.

Dated: Richmond, Virginia  
January \_\_, 2009  
Jan 29 2009

/s/ Kevin Huennekens  
United States Bankruptcy Judge

Entered on Docket: 1/29/09

WE ASK FOR THIS:

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(804) 775-1000

Counsel for Debtors and Debtors in Possession

- and -

INTERTAN, INC., the sole shareholder of InterTAN Canada Ltd.,  
on behalf of InterTAN Canada Ltd. in accordance  
with the power vested in the shareholder by virtue  
of the Unanimous Shareholder Declaration made as of October 7, 2008.

By: /s/ Reginald D. Hedgebeth  
Name: Reginald D. Hedgebeth  
Title: Director, Vice President and Secretary

ALLEN & OVERY LLP

/s/ Ken Coleman  
Ken Coleman  
1221 Avenue of the Americas  
New York, New York 10020  
(212) 610-6300

Attorneys for Alvarez & Marsal Canada ULC,  
as Monitor appointed in the Canadian Proceedings

**LOCAL RULE 9022-1 CERTIFICATION**

I hereby certify that the foregoing has been either endorsed or served upon all necessary parties.

/s/ J.R. Smith \_\_\_\_\_

**ONTARIO**

**SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**FOURTH REPORT OF THE MONITOR  
ALVAREZ & MARSAL CANADA ULC  
(dated February 6, 2009)**

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Solicitors for the Monitor