

NO. S-138873  
VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

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

AND

IN THE MATTER OF THE *BUSINESS CORPORATIONS ACT*, S.B.C. 2002, c. 57, AS  
AMENDED

AND

IN THE MATTER OF A PLAN OF COMPROMISE AND ARRANGEMENT OF  
ARTHON INDUSTRIES LIMITED, ARTHON CONTRACTORS INC., ARTHON EQUIPMENT  
LTD., COALMONT ENERGY CORP., ROBEKA PROJECTS INC. AND 0755049 B.C. LTD.

PETITIONERS

**ORDER MADE AFTER APPLICATION**

BEFORE THE HONOURABLE  
MR. JUSTICE SEWELL

)  
)  
)

THURSDAY, THE 28<sup>TH</sup> DAY OF  
NOVEMBER, 2013

THE APPLICATION of the Petitioners coming on for hearing at Vancouver, British Columbia, on the 28<sup>th</sup> day of November, 2013, without notice; AND ON HEARING H. Lance Williams and Tijana Gavric, counsel for the Petitioners and those other counsel listed on Schedule "A" hereto; AND UPON READING the material filed, including the First Affidavit of Kerry Ning Leong sworn November 28, 2013; AND pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985 c. C-36 as amended (the "**CCAA**"), the British Columbia Supreme Court Civil Rules and the inherent jurisdiction of this Honourable Court;

THIS COURT ORDERS AND DECLARES THAT:

**ADJOURNMENT**

1. The hearing of the Petitioners' application for an Initial Order pursuant to the CCAA be and is hereby adjourned to 10:00 a.m. on Friday, the 29<sup>th</sup> day of November, 2013.

**STAY OF PROCEEDINGS, RIGHTS AND REMEDIES**

2. Until and including 4:00 p.m., Friday, the 29<sup>th</sup> day of November, 2013, or such later date as this Court may order (the "**Stay Period**"), no action, suit or proceeding in any court or tribunal (each, a "**Proceeding**") against or in respect of the Petitioners, or affecting their business or property, shall be commenced or continued except with the written consent of the Petitioners or with leave of this Court, and any and all Proceedings currently under way against or in respect of the Petitioners or affecting their business or property are hereby stayed and suspended pending further Order of this Court.

3. During the Stay Period, all rights and remedies of any individual, firm, corporation, governmental body or agency, or any other entities (all of the foregoing, collectively being "**Persons**" and each being a "**Person**") against or in respect of the Petitioners, or affecting their business or property, are hereby stayed and suspended except with the written consent of the Petitioners or leave of this Court.

4. Nothing in this Order, including paragraphs 2 and 3, shall: (i) empower the Petitioners to carry on any business which the Petitioners are not lawfully entitled to carry on; (ii) affect such investigations, actions, suits or proceedings by a regulatory body as are permitted by Section 11.1 of the CCAA; (iii) prevent the filing of any registration to preserve or perfect a mortgage, charge or security interest (subject to the provisions of Section 39 of the CCAA relating to the priority of statutory Crown securities); or (iv) prevent the registration or filing of a lien or claim for lien or the commencement of a Proceeding to protect lien or other rights that might otherwise be barred or extinguished by the effluxion of time, provided that no further step shall be taken in respect of such lien, claim for lien, or Proceeding except for service of the initiating documentation on the Petitioners.


## NO INTERFERENCE WITH RIGHTS

5. During the Stay Period, no Person shall discontinue, fail to honour, alter, interfere with, repudiate, terminate or cease to perform any right, renewal right, contract, agreement, licence or permit in favour of or held by the Petitioners, except with the written consent of the Petitioners or leave of this Court.




## GENERAL

6. Endorsement of this Order by counsel appearing, other than counsel for the Petitioners, is hereby dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

  
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Davis LLP (Mary I.A. Buttery, H. Lance Williams  
and Tijana Gavric)  
Lawyers for the Petitioners

BY THE COURT

  
\_\_\_\_\_  
REGISTRAR   


**Schedule "A"**

<b>Counsel List</b>	
<b>Name</b>	<b>Party Represented</b>
John F. Grieve Danielle Toigo	HSBC Bank Canada
Andrew Crabtree	Proposed Monitor, Alvarez & Marsal Canada Inc.
Gregory J. Gehlen	Stephen Dimond and Canvest Communications Corporation