

Court File No. 08-CL-7841

**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**

**NOTICE OF MOTION  
(Motion Returnable October 26, 2009)**

**THE APPLICANTS**, InterTAN Canada Ltd. ("InterTAN") and Tourmalet Corporation (collectively, the "Applicants") will make a motion before the Honourable Mr. Justice Morawetz on October 26, 2009 at 9:59 a.m., or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

**PROPOSED METHOD OF HEARING:** The motion is to be heard orally.

**THE MOTION IS FOR:**

1. An Order, if necessary, abridging the time for service of this Notice of Motion and the Motion Record herein, and directing that any further service of the Notice of Motion and the Motion Record be dispensed with;
2. An Order approving the Tenth Report of the Monitor, dated October 21, 2009, and the activities of the Monitor described therein; and
3. An Order unsealing the cash flow projections of the Applicants from July 3, 2009 until October 30, 2009 which were sealed by Order of this Court on July 29, 2009;

4. An Order extending the Stay Period, as defined in the Amended and Restated Initial Order dated November 10, 2008 (the "Initial Order"); and as subsequently extended, from October 31, 2009 until January 31, 2010;

5. Such further and other relief as counsel may request and this Honourable Court may deem just.

**THE GROUNDS FOR THE MOTION ARE:**

1. On November 10, 2008, the Applicants filed for, and pursuant to the Initial Order, obtained protection from their creditors under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended (the "CCAA"), and Alvarez & Marsal Canada ULC was appointed monitor of the Applicants (the "Monitor");

2. The Stay Period currently expires on October 31, 2009 and the Applicants are proposing that the Stay Period be extended to January 31, 2010;

3. As detailed in the Tenth Report of the Monitor, the Monitor, together with the Applicants, has made substantial progress in reviewing, reconciling and administering claims filed in the claims processes implemented by the Court pursuant to its Orders dated February 10, 2009 and July 29, 2009 (collectively the "Claims Process"). However, a significant number of claims still remain to be reviewed and determined;

4. The requested stay extension will allow the Monitor, together with the Applicants, to continue to deal with post-closing matters arising out of the Asset Purchase Agreement as detailed in the Tenth Report of the Monitor, and to continue to implement the Claims Process with the goal of effecting stakeholder distributions in a timely and efficient manner;

5. The Applicants have been acting and continue to act in good faith and with due diligence in these CCAA proceedings;

6. It is just and convenient and in the interests of the Applicants and their stakeholders that the Order sought be granted and the Stay Period extended;

7. Section 11 of the *CCAA*;

8. Rules 1.04, 2.03, 3.02 and 37 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, as amended; and
9. Such further and other grounds as counsel may advise and this Honourable Court may permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of this motion:

1. The Tenth Report of the Monitor dated October 21, 2009;
2. Such further and other materials as counsel may advise and this Honourable Court may permit.

October 21, 2009

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TO: THE SERVICE LIST

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Proceeding commenced at Toronto

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