



Court File No. CV-09-8201-00CL

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

THE HONOURABLE MADAM

)

MONDAY, THE 11th DAY

)

JUSTICE PEPALL

)

OF JANUARY, 2010

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

BETWEEN:

WESTLB AG, TORONTO BRANCH

Applicant

- and -

THE ROSSEAU RESORT DEVELOPMENTS INC.

Respondent

ORDER

THIS MOTION, made by Alvarez & Marsal Canada ULC (“A&M”), in its capacity as Court-appointed receiver and manager pursuant to section 101 of the *Courts of Justice Act* (Ontario) and trustee and receiver and manager under the *Construction Lien Act* (Ontario) (“CLA”), and Alvarez & Marsal Canada Inc. (formerly McIntosh & Morawetz Inc.), in its capacity as interim receiver pursuant to section 47(1) of the *Bankruptcy and Insolvency Act* (the “BIA”) (jointly and collectively, the “Receiver”), of the undertaking, property and assets (the “Assets”) of The Rosseau Resort Developments Inc. (“RRDI”) for an Order amending the

Commission Claims Process Order dated December 21, 2009 (the "Commission Claims Process Order"), by changing the Commission Claims Bar Date, as defined therein, from February 28, 2010 to March 1, 2010, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the draft Order, filed, and on hearing the submissions of counsel for WestLB AG, Toronto Branch and the Receiver, no one appearing for any other person on the service list,

1. THIS COURT ORDERS that the Commission Claims Process Order be and is hereby amended to change the Commission Claims Bar Date from February 28, 2010 to March 1, 2010, by deleting the reference to "February 28" at paragraph 2(v) of the Commission Claims Process Order and substituting "March 1", and all Schedules to the Commission Claims Process Order are hereby correspondingly amended.



A handwritten signature in black ink, appearing to read "Joanne Nicoara", is written over a horizontal line.

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

JAN 11 2010

PER / PAR:  Joanne Nicoara
Registrar, Superior Court of Justice

Respondent

Proceeding commenced at Toronto

Lawyers for WestLB, AG, Toronto Branch, and Alvarez & Marsal Canada ULC and Alvarez & Marsal Canada Inc., in their respective capacities as Court-appointed receiver and manager, interim receiver, and trustee