Court File No. CV-12-9680-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE MR.	)	TUESDAY, THE 8TH
	)	
JUSTICE D. BROWN	)	DAY OF MAY, 2012

IN THE MATTER OF S. 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, AND S. 101 OF *THE COURTS OF JUSTICE ACT*, R.S.O. 1990, C. C-43, AS AMENDED

BETWEEN:

CIT FINANCIAL LTD.

Applicant

- and -

AUSTIN PHARMA DRUGS LTD.

Respondent

ORDER

THIS MOTION made by A. Farber & Partners Inc. in its capacity as the Court-appointed receiver (the "Receiver") of the undertakings, properties and assets of the Respondent (the "Debtor") to compel Sherif Ghattas ("Ghattas") to: (i) meet with the Receiver's counsel to prepare for cross-examination; and (ii) attend to be cross-examined on his affidavits filed in a motion for relief from forfeiture in Toronto, in Court File No. CV-11431612 (the "RFF Proceeding"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Receiver's Motion Record, the Notice of Return of Motion and the Affidavit of Peter Auvinen sworn May 7, 2012 and on hearing the submissions of counsel for the Receiver, and counsel for CIT Financial Ltd., no one else appearing, although served in the manner described in the Affidavit of Service of Christina Corrente, sworn May 4, 2012 and the Affidavit of Service of David Webster sworn May 7, 2012;

1. THIS COURT ORDERS that service of the Receiver's Motion Record and Notice of Return of Motion be and is hereby validated on Ghattas by email of the same in pdf format at approximately 5:00 pm on May 4, 2012 to sherif@bestcarepharma.com, alipman@lzwlaw.com and bmiller@lzwlaw.com and by personal service of the same on Sara Ghattas in the manner described in the Affidavit of Service of David Webster sworn May 7, 2012.

2. THIS COURT ORDERS that Ghattas shall attend a meeting with David Preger, the Receiver's counsel, to prepare for cross-examination on his affidavits filed in the motion for relief from forfeiture in the RFF Proceeding at 10:00 am on May 14, 2012 at:

Dickinson Wright LLP
Toronto-Dominion Centre
18th Floor, P.O. Box 124
222 Bay Street
Toronto, Ontario, M5K 1H1

3. THIS COURT ORDERS that Ghattas shall attend to be cross-examined on his affidavits filed in support of the motion for relief from forfeiture in the RFF Proceeding at 11:00 am on May 15, 2012 at:

Network Reporting & Mediation
77 City Centre Drive
Suite 500, West Tower
Mississauga, Ontario, L5B 1M5

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

MAY 08 2012

CIT FINANCIAL LTD.
Applicant

-and-

AUSTIN PHARMA DRUGS LTD.
Respondent

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PROCEEDING COMMENCED AT
TORONTO

ORDER

DICKINSON WRIGHT LLP
Barristers & Solicitors
Toronto-Dominion Centre
18th Floor, P.O. Box 124
222 Bay Street
Toronto Ontario, M5K 1H1

DAVID P. PREGER (36870L)
Tel: (416) 646-4606

LISA S. CORNE (27974M)
Tel: (416) 646-4608

ELISA C. GIACOMELLI (55829I)
Tel: (416) 594-4051

Fax: (416) 865-1398

Lawyers for A. Farber & Partners Inc., Court-appointed Receiver of Austin Pharma Drugs Ltd.