

CANADA

PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT

Commercial Division

(Sitting as a court designated pursuant to the
Companies' Creditors Arrangement Act,
R.S.C. 1985, c. C-36)

No. 500-11-042345-120

IN THE MATTER OF THE PROPOSED PLAN OF
COMPROMISE AND ARRANGEMENT OF:

AVEOS FLEET PERFORMANCE INC./

AVEOS PERFORMANCE AÉRONAUTIQUE INC.

and

AERO TECHNICAL US, INC.

Insolvent Debtors

and

FTI CONSULTING CANADA INC.

Monitor

and

VISION AIRLINES, INC.

Petitioner

**NOTICE OF DISCLOSURE OF AVEOS FLEET PERFORMANCE INC./
AVEOS PERFORMANCE AÉRONAUTIQUE INC.
TO OBTAIN PARTICULARS AND DOCUMENTS
Articles 159, 168(7) and (8) C.C.P.**

TO:

NORTON ROSE CANADA LLP

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Attorney for FTI CONSULTING CANADA INC.

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Attorneys for VISION AIRLINES, INC

Related to number 116 in the Plumitif

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*Attorneys for CANADIAN COUNSEL FOR CREDIT
SUISSE AG, CAYMAN ISLANDS BRANCH, as
administrative agent for the first lien secured lenders
and as administrative agent and collateral agent for
the second lien secured lenders*

TAKE NOTICE that the present *Notice of Disclosure of AVEOS FLEET PERFORMANCE INC./AVEOS PERFORMANCE AÉRONAUTIQUE INC. to Obtain Particulars and Documents* will be presented for adjudication to Honourable Justice Mark Schragger or to one of the Honourable Judges of the Superior Court, sitting in commercial division at the Montreal Courthouse, 1 Notre-Dame Street East, at a date and time to be determined by the Court.

Indeed, Petitioner did not provide sufficient particulars in its *Motion for an Order Lifting the Stay of Proceeding to Inspect and Repossess Certain Assets* (number 116 in the Plumentif) (the "**Motion**") to allow Debtor to adequately prepare its Defence and to plead with full knowledge of all of the facts alleged by Petitioner.

The Motion contains allegations which are incomplete, vague and ambiguous such that Debtor has an interest and is entitled to obtain the particulars and documents sought herein.

Debtor requires from Petitioner the particulars and documents hereinafter set forth:

As concerns paragraphs 11 and 12 of the Motion, Petitioner states the following:

"11. A commercial dispute between Aveos and Vision with regards to the Agreement arose in June 2011 and led to the commencement of court proceedings in the Northern District of New York (the "**Litigation**") ;

12. The Litigation is not connected to the work performed or to be performed by Aveos on Vision's Engine."

WITHOUT SPECIFYING:

- a) the reason of said commercial dispute, including all contracts, invoices, correspondence and other documents related to the matter of the dispute;
- b) the nature and scope of court proceedings started in the Northern District of New York;
- c) the current status of such proceedings, i.e. whether they are still pending and where;

WITHOUT PRODUCING:

- d) copies of all proceedings, exhibits, transcripts, etc., filed with the Northern District of New York court records and subsequent jurisdictions, or otherwise related to the above mentioned litigation.

WHEREFORE, AVEOS FLEET PERFORMANCE INC./AVEOS PERFORMANCE AÉRONAUTIQUE INC. WILL REQUEST THE COURT TO:

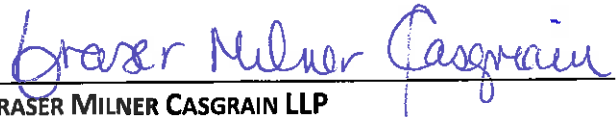
ORDER Petitioner to provide the particulars and documents requested regarding paragraphs 11 and 12 of the *Motion for an Order Lifting the Stay of Proceeding to Inspect and Repossess Certain Assets* within a delay of 15 days of the judgment to be rendered;

STAY proceedings until the expiry of such delay or until any subsequent date on which the aforementioned particulars and documents are provided;

THE WHOLE with costs.

DO GOVERN YOURSELVES ACCORDINGLY.

Montreal, September 10, 2012



FRASER MILNER CASGRAIN LLP

Attorneys for AVEOS FLEET PERFORMANCE INC./
AVEOS PERFORMANCE AÉRONAUTIQUE INC.

No. 500-11-042345-120

SUPERIOR COURT (Commercial Division)
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Me Roger Simard

#548732-1

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ORIGINAL



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