



Court File No. CV-10-8533-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)
)
MADAM JUSTICE PEPALL) **MONDAY, THE 22ND DAY**
) **OF FEBRUARY, 2010**

**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 CANWEST PUBLISHING INC.
/PUBLICATIONS CANWEST INC., CANWEST BOOKS INC.
AND CANWEST (CANADA) INC.**

APPLICANTS

ORDER

THIS MOTION, made by the Communications, Energy and Paperworkers Union of Canada (the "Union") was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Records of the Union and on hearing submissions of counsel for the Union, the Applicants, FTI Consulting Canada Inc. in its capacity as Court-appointed monitor of the LP Entities, and other parties:

1. **THIS COURT ORDERS**, if necessary, that time for service of the notice of motion and the motion record is hereby abridged and service of the motion record by the Union is validated, such that this motion is properly returnable on February 22, 2010.

2. **THIS COURT ORDERS** that the Union is hereby authorized to continue to represent its current members and to represent former members of bargaining units represented by the Union, including pensioners, retirees, deferred vested participants and surviving spouses and dependents (the "Current and Former Members") employed or formerly employed by the Applicants or the Limited Partnership referred to in paragraph 2 of the Initial Order (collectively, the Applicants) in this proceeding and in connection with any concurrent or subsequent proceeding that may be commenced under the *Bankruptcy and Insolvency Act* ("BIA") or similar legislation (collectively, the "Proceedings").
3. **THIS COURT ORDERS** that the Union is authorized to determine, file, advance or compromise any and all claims of its Current and Former Members that exist or may arise at law or equity or pursuant to any applicable collective agreement, which may be made against the Applicants in the Proceedings in connection with any issue or matter related to any recovery, or compromise of rights or entitlements of the Current and Former Members.
4. **THIS COURT ORDERS** that the Applicants shall use their best efforts subject to the Union executing a confidentiality agreement to provide to counsel for the Union, as soon as possible after the granting of this Order, without charge, the names, last known addresses, last known phone numbers and email addresses (if any) of all Current and Former Members.
5. **THIS COURT ORDERS** that subject to any direction to the contrary by the regulatory body, the Union, or their counsel on their behalf, are authorized to take all steps and to do all acts necessary or desirable to carry out the terms of this Order, including dealing with any Court or any regulatory body, other governmental ministry, department or agency (each a "Governmental Authority").

6. **THIS COURT ORDERS** that CaleyWray Labour/Employment Lawyers ("CaleyWray") is hereby authorized to act as counsel for the Current and Former Members in the Proceedings.
7. **THIS COURT ORDERS** that notice of the granting of this Order may be provided to the Current and Former Members in such form and under such terms and conditions as are deemed appropriate by the Union and its Counsel.
8. **THIS COURT ORDERS** that any individual Former Member who does not wish to be represented by the Union or CaleyWray pursuant to the terms of this Order, or all other related Orders which may subsequently be made in this Proceeding concerning the Current or Former Members or relating to the appointment of the Union and/or CaleyWray, shall within 30 days of receiving notice of this Order, notify the Monitor, the Applicants and CaleyWray in writing, and shall thereafter represent themselves as an independent individual party to these proceedings.



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

FEB 23 2010

PER / PAR: 

Joanne Nicoara
Registrar, Superior Court of Justice

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1985, c C-36, AS AMENDED

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PROCEEDING COMMENCED AT TORONTO

ORDER

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