

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: :  
: Chapter 15  
CANWEST GLOBAL COMMUNICATIONS :  
CORP., et al. : Case No. 09 -15994  
: Debtors in a Foreign Proceeding. :  
: Jointly Administered  
: :  
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**PRELIMINARY INJUNCTION**

Upon the motion (the "Motion")<sup>1</sup> of FTI Consulting Canada Inc. ("FTI"), in its capacity as the court-appointed monitor ("Monitor") and foreign representative of Canwest Global Communications Corp. ("Canwest Global"), Canwest Media Inc. ("CMI"), 4501063 Canada Inc. ("4501063"), Canwest Television GP Inc. ("Canwest Television"), and Canwest Global Broadcasting Inc./Radiodiffusion Canwest Global Inc. ("Canwest Broadcasting," and collectively with Canwest Global, CMI, 4501063 and Canwest Television, the "Debtors") in proceedings (the "Canadian Proceedings") under Canada's *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, pending before the Ontario Superior Court of Justice (Commercial List) at Toronto (the "Canadian Court") and in these cases pursuant to chapter 15 of title 11 of the United States Code (the "Bankruptcy Code"), pursuant to Rule 65 of the Federal Rules of Civil Procedure (the "Federal Rules"), made applicable to these proceedings through Rule 7065 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and sections 105(a), 1504, 1507, 1519 and 1521 of the Bankruptcy Code, for a preliminary injunction; and upon the Verified Petition Pursuant To 11 U.S.C. §§ 105(a), 1504, 1507, 1515, 1517, 1519, 1520

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<sup>1</sup> Any capitalized term not otherwise defined in this order will have the meaning ascribed to such term in the Motion.

And 1521, Commencing Chapter 15 Cases And Seeking Entry Of An Order Recognizing Foreign Main Proceedings And Granting Further Relief And Additional Assistance (including all exhibits appended thereto, the "Verified Petition"); and upon the Memorandum Of Law In Support Of the Verified Petition and the Motion (the "Memorandum"); and upon the Declaration of Jennifer Feldsher Pursuant to Local Bankruptcy Rule 9077-1(a), Federal Rule 65 and Bankruptcy Rule 7065, In Support of the Ex Parte Motion for Temporary Restraining Order and, After Notice and a Hearing, a Preliminary Injunction (the "Feldsher Declaration"); and upon the Temporary Restraining Order (the "TRO") entered on October 6, 2006; and the hearing to consider entry of the preliminary injunction having been held on October 15, 2009 (the "Hearing"); and upon the record at the Hearing and statements of counsel therein and there being no objection to the preliminary injunction; and it appearing that, based on the circumstances, due and sufficient notice of the Verified Petition, Motion, Memorandum, TRO, and the Hearing has been given by the Monitor; and after due deliberation and sufficient cause appearing therefor, the Court finds and concludes as follows:

1. The Monitor commenced a case ancillary to a foreign proceeding on behalf of the Debtors with this Court pursuant to chapter 15 of the Bankruptcy Code;
2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 1334 and 157 and venue is proper pursuant to 28 U.S.C. § 1410;
3. This Court, pursuant to sections 105(a), 1507, 1519 and 1521 of the Bankruptcy Code, Rule 7065 of the Bankruptcy Rules and Rule 65 of the Federal Rules, may issue any order as may be necessary or appropriate to carry out the provisions of the Bankruptcy Code, including but not limited to issuing a preliminary injunction; and

4. It appears to the Court that, absent the injunctive relief, the Debtors will suffer irreparable harm unless their creditors, contractual counterparties and litigation counterparties are preliminarily enjoined to the extent provided in this Order.

NOW THEREFORE, IT IS HEREBY ORDERED that any individual, firm, corporation, or any other entity, and all those acting for or on their behalf, are hereby enjoined and prohibited from taking the following actions in the United States and its territories:

- (i) Taking any action to obtain possession of property of the Debtors' estates or of property from the estate or to exercise control over the Debtors, their estates, or their businesses, pending further order of the Court;

and

- (ii) Discontinuing, altering, failing to honor, interfering with, repudiating, ceasing to perform, or terminating any oral or written agreement, contract, license, or permit with a Chapter 15 Entity or statutory or regulatory mandate for the supply of goods and/or services, including without limitation all programming supply, computer software, communication and other data services, centralized banking services, payroll services, insurance, transportation services, utility or other services to the Debtors' businesses or a Chapter 15 Entity, on the basis of, or as a result of, the filing of the Chapter 15 cases, the Canadian Proceedings or any amounts outstanding as of the filing of the Chapter 15 cases, and the Chapter 15 Entities shall be entitled to the continued use of their current premises, telephone numbers, facsimile numbers, internet addresses and domain names; provided, in each case, that the contractual prices or charges for all such goods or services received after the date of the Initial CCAA Order are paid by the Chapter 15 Entities in accordance with normal payment practices of the Chapter 15 Entities or such other practices as may be agreed upon by the supplier or service provider, the relevant Chapter 15 Entity and the Monitor, or as may be ordered by the Court;

and it is further

ORDERED, that pursuant to Rule 7065 of the Bankruptcy Rules, the security provisions of Rule 65(c) of the Federal Rules be, and the same hereby are, waived; and it is further

ORDERED that FTI, in connection with its appointment as the Debtors' Monitor, and the Debtors are entitled to the full protections and rights available pursuant to section 1519(a) of the Bankruptcy Code; and it is further

ORDERED that the foregoing stay of actions and proceedings against the Chapter 15 Entities shall exist until the hearing on the relief sought in the Verified Petition (currently scheduled for November 3, 2009), unless otherwise ordered by this Court.

Dated: October 15, 2009  
New York, New York

/s/ STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

**Issued: 12:50 p.m.**