

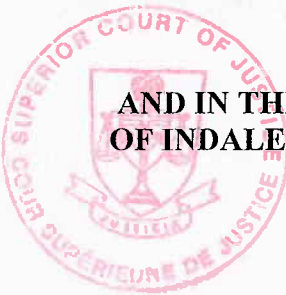
**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE
JUSTICE CAMPBELL

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TUESDAY, THE
21ST DAY OF FEBRUARY, 2011

**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 INDALEX LIMITED, INDALEX HOLDINGS (B.C.) LTD., 6326765 CANADA
INC. and NOVAR INC.**

Applicants

ORDER

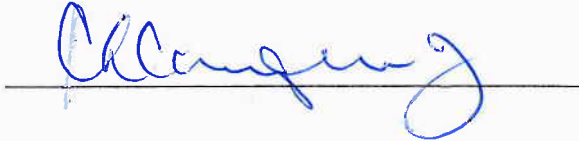
THIS MOTION, made by Keith Carruthers, Leon Kozierok, Richard Benson, John Faveri, Ken Waldron, John (Jack) W. Rooney, Bertram McBride, Max Degen, Eugene D'Iorio, Richard Smith, Robert Leckie, Neil Fraser and Fred Granville (the "Retirees"), was heard this day at 330 University Ave., Toronto, Ontario

ON READING the Motion Record of the Retirees, and hearing submissions of counsel,

1. **THIS COURT ORDERS** that service of the Motion Record is hereby validated.
2. **THIS COURT ORDERS** that the Registrar not dismiss the action in Court File number CV-09-388836, further to the Notice that Action will be Dismissed, dated October 11, 2011.
3. **THIS COURT ORDERS** that, *nunc pro tunc*, the stay of proceedings in the May 12, 2009 Amended Amended and Restated Initial Order of Mr. Justice Morawetz (the "Stay") in

Court File number CV-09-388836 to commence the action is hereby lifted without prejudice to the rights of any creditors or of the defendants.

4. **THIS COURT ORDERS** that the Plaintiffs in Court File number CV-09-388836 have 90 days to serve the Statement of Claim once the Stay expires.



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

FEB 21 2012



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
INDALEX LIMITED, INDALEX HOLDINGS (B.C.) LTD., 6326765 CANADA
INC. and NOVAR INC.

Court File No: CV-09-8122-00CL

Applicants

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

Proceeding commenced at Toronto

ORDER

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Robert Leckie, Neil Fraser, Ken Waldron, Fred Granville,
John Faveri, John Rooney and Richard Benson (the
"Retirees")