

ONTARIO
SUPERIOR COURT OF JUSTICE
(Commercial List)

THE HONOURABLE)
JUSTICE MORAWETZ) WEDNESDAY, THE 31ST DAY
OF MARCH, 2010

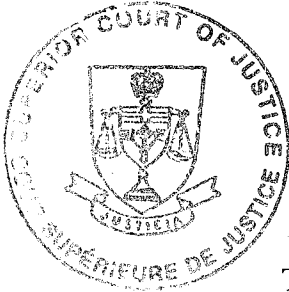
IN THE MATTER OF AN APPLICATION pursuant to Section 9 of the
Airport Transfer (Miscellaneous Matters) Act, S.C. 1992, c. 5

BETWEEN:

GREATER TORONTO AIRPORTS AUTHORITY

Applicant

ORDER



THIS APPLICATION, made by the Applicant, the Greater Toronto Airports Authority (the "GTAA") was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Notice of Application, made without notice, and on reading the affidavit of Jason Boyd sworn March 31, 2010 and on hearing the submissions of counsel for the GTAA, counsel for NAV CANADA, counsel for FTI Consulting Canada Inc. in its capacity as court appointed receiver (the "Receiver") of the property, assets and undertaking of Skyservice Airlines Inc. (the "Debtor"), counsel for ORIX Aviation Systems Limited, MCAP Europe Limited, Jetscape, Inc., Aircastle Advisor LLC and GE Capital Aviation Services, counsel for CIT Leasing Corporation, counsel for Thomson Airways Limited and counsel for Thomas Cook Canada Inc. (collectively, the "Interested Parties"),

1. THIS COURT ORDERS that this application and an application by NAV CANADA under Section 56 of the *Civil Air Navigation Services Commercialization Act*, S.C. 1996, chapter 20 (the "Applications") for orders, among other things, seizing and detaining the aircraft owned or operated by the Debtor bearing serial numbers 29941 (Mark number C-FLEU), 25053 (Mark number C-GMYH), 1605 (Mark number C-GTDH), 1571 (Mark number C-GTDG), 32477 (Mark number C-GTBB), 1411 (Mark number C-FRAA) and 1780 (Mark number C-GTDP) (together the "Ontario Aircraft"), pending payment of the sum outstanding for fees and charges claimed by the GTAA and NAV CANADA, are hereby adjourned to April 12, 2010.

2. THIS COURT ORDERS that pending the hearing and determination of the Applications or further order of the Court obtained on notice to the Interested Parties, no person, including the Receiver, shall take or cause any steps to be taken to possess or repossess the Ontario Aircraft or any other aircraft owned or operated by the Debtor (with the Ontario Aircraft, the "Aircraft") or to dispossess the Debtor of the Aircraft, including, without limitation, the giving of any notice of termination under applicable leases, the seizure or taking control of any log books, certificates of registration or certificates of air worthiness, the changing of the registration of any Aircraft or the deregistration of any Aircraft.

3. THIS COURT ORDERS that pending the hearing and determination of the Applications or further order of the Court obtained on notice to the Interested Parties, NAV CANADA is hereby authorized and directed to deny all civil air navigation services in respect of the Aircraft and that no person shall fly the Aircraft or cause the Aircraft to be flown.

4. THIS COURT ORDERS that pending the hearing and determination of the Applications or further order of the Court obtained on notice to the Interested Parties, the Receiver and/or any affected aircraft lessors may take any reasonable steps to inspect, protect and preserve the aircraft including performing and documenting any required maintenance procedures (the "Maintenance").

5. THIS COURT ORDERS that pending the hearing and determination of the Applications or further order of the Court obtained on notice to the Interested Parties, Thomson Airways Limited, the lessor of the aircraft bearing serial number 29941 (Mark C-FLEU) is directed to cause the aircraft to be repositioned to a location at Toronto Pearson International Airport designated by the GTAA by no later than 5:00 p.m. on April 1, 2010, failing which the GTAA is authorized to cause the aircraft to be so repositioned (the "Relocation").

6. THIS COURT ORDERS that neither the Maintenance nor the Relocation shall constitute or be deemed to constitute the exercise of custody or control or possession in respect of any Aircraft



—Morawetz J.

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

APR 0 1 2010

PER / PAR: TV

BETWEEN:

GREATER TORONTO AIRPORTS AUTHORITY

- Applicant -

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

(PROCEEDING COMMENCED AT TORONTO)

ORDER

OSLER, HOSKIN, & HARCOURT LLP
Box 50, 1 First Canadian Place
Toronto, Ontario, Canada, M5X 1B8

Allan D. Coleman / Shawn T. Irving
LSUC#: 42007W / 50035U
Tel: (416) 862-4941 / (416) 862-4743
Fax: (416) 862-6666

**Counsel for the Applicant,
Greater Toronto Airports Authority**