

No. S128887
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

IN THE MATTER OF AN APPLICATION PURSUANT TO
SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*,
R.S.C. 1985, c. B-3, AS AMENDED and SECTION 39 OF THE *LAW AND EQUITY ACT*,
R.S.B.C. 1996 C. 253, AS AMENDED

BETWEEN:

DUMAS HOLDINGS INC.

Petitioner

AND:

**TERCON INVESTMENTS LTD., TERCON A.C. LTD., TERCON EQUIPMENT LTD.,
TERCON CONSTRUCTION LTD., TERCON MINING LTD., TERCON ENTERPRISES
LTD., TERCON MRC LIMITED, FNP VENTURES INC., TERCON MINING PV LTD.,
TERCON EQUIPMENT ALASKA PARTNERSHIP AND TERCON ALASKA LTD.**

Respondents

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE) 11/04/2013
)
MR. JUSTICE SEWELL)

THE APPLICATION of FTI CONSULTING CANADA INC., in its capacity as Court-appointed Receiver (the "**Receiver**") of the assets, undertakings and properties of Tercon Investments Ltd., Tercon A.C. Ltd., Tercon Equipment Ltd., Tercon Construction Ltd., Tercon Mining Ltd., Tercon Enterprises Ltd., Tercon MRC Limited, FNP Ventures Inc., Tercon Mining PV Ltd., Tercon Equipment Alaska Partnership and Tercon Alaska Ltd. (collectively, the "**Debtors**") coming on for hearing at Vancouver, British Columbia, on the 11th day of April, 2013; AND ON HEARING Magnus Verbrugge, counsel for the Receiver; and those other counsel listed on Schedule "A" hereto, AND UPON READING the material filed, including the Eighth Report of the Receiver dated April 4, 2013 (the "**Eighth Report**")¹;

¹ All capitalized terms not defined herein shall have the meaning ascribed to them in the Eighth Report.

THIS COURT ORDERS AND DECLARES THAT:

1. The time for service of the Notice of Application and supporting materials is hereby abridged and properly returnable today, and the need for further service of the Notice of Application and supporting materials is hereby dispensed with;
2. Pursuant to paragraph 7 of the Order pronounced on January 21, 2013 (the "**Distribution Order**"), the Receiver is hereby authorized to make payments to HSBC Bank Canada from monies previously held in accordance with and pursuant to the Distribution Order by the Receiver as the TEAP Reserve; and
3. The Receiver is hereby authorized to pay, once determined by the Receiver to be adequately proven, each of the Accepted Lien Amounts from the FGMI Receivable upon the receipt by the Receiver, or its counsel, from the Alaskan Lien Claimant of a certificate of discharge or other similar certificate with respect to the Alaskan Lien Claimant's Alaskan Lien Claim.

THE APPROVAL OF COUNSEL SET OUT IN SCHEDULE "A" OF THIS ORDER, OTHER THAN COUNSEL FOR FTI CONSULTING CANADA INC., IS HEREBY DISPENSED WITH:

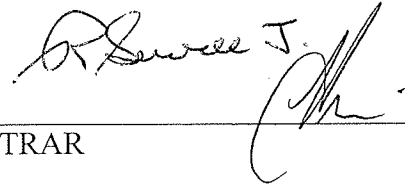


Signature of Magnus C. Verbrugge

Party Lawyer for

FTI Consulting Canada Inc., in its capacity as receiver of the assets, undertakings and properties of Tercon Investments Ltd., Tercon A.C. Ltd., Tercon Equipment Ltd., Tercon Construction Ltd., Tercon Mining Ltd., Tercon Enterprises Ltd., Tercon MRC Limited, FNP Ventures Inc., Tercon Mining PV Ltd., Tercon Equipment Alaska Partnership and Tercon Alaska Ltd.

BY THE COURT



REGISTRAR

SCHEDULE A - LIST OF COUNSEL

Tim Louman-Gardiner

Damas Holdings Inc.

~~Mate Wassermann~~
Andrea Lockhart

Cindy Cheuk

HSBC Bank Canada

Jane Dietrich

Dennis Wixbe.

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BETWEEN:

DUMAS HOLDINGS INC.

Petitioner

AND:

TERCON INVESTMENTS LTD., AND OTHERS

Respondents

ORDER MADE AFTER APPLICATION

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