

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) TUESDAY, THE 5TH
JUSTICE MORAWETZ) DAY OF MARCH, 2013



**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
TIMMINCO LIMITED AND BÉCANCOUR SILICON INC.**

Applicants

**ORDER
(Re Stay Extension to May 15, 2013 and
Extension of the Term of the CRO Agreement)**

THIS MOTION, made by Timminco Limited and Bécancour Silicon Inc. (together, the "Timminco Entities"), for an order extending the Stay Period (as defined below) until May 15, 2013, and extending the term of the CRO Agreement (as defined below) to May 15, 2013, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the affidavit of Sean Dunphy sworn February 22, 2013 (the "February Affidavit"), the affidavit of Sean Dunphy sworn March 4, 2013 (the "March 4 Affidavit"), the Nineteenth Report of the Monitor dated March 4, 2013 (the "Nineteenth Report"), and on hearing the submissions of counsel for the Timminco Entities, and the Monitor, no one appearing for any other person on the service list, although duly served as appears from the affidavits of service of Kathryn Esaw sworn February 26, 2013 and March 4, 2013, filed:

7, the BSI Pension Committees, Mineral
Canada, Ministry of Northern Mines and
Development, *AD*.

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

STAY EXTENSION

2. **THIS COURT ORDERS** that the Stay Period (as defined in paragraph 18 of the Initial Order of the Honourable Mr. Justice Morawetz dated January 3, 2012) is hereby extended until and including May 15, 2013.

EXTENSION OF CRO AGREEMENT

3. **THIS COURT ORDERS** that the extension of the appointment of the Chief Restructuring Officer of the Timminco Entities (the "CRO") to May 15, 2013, on the terms set forth in the CRO Extension Agreement dated February 28, 2013 and filed as Exhibit "F" to the Nineteenth Report is hereby approved.

GENERAL

4. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Monitor, the CRO, and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Monitor and to the CRO, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Monitor and its agents in carrying out the terms of this Order.

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



MAR 5 - 2013



IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

Court File No. CV-12-9539-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF TIMMINCO LIMITED AND BÉCANCOUR SILICON INC.

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

Proceeding commenced at Toronto

**ORDER
(Re Stay Extension to May 15, 2013)**

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