

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE) WEDNESDAY, THE 5TH
MADAM JUSTICE PEPALL) DAY OF JANUARY, 2011

B E T W E E N:

**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 CANWEST PUBLISHING INC./
PUBLICATIONS CANWEST INC., CANWEST BOOKS INC.
AND CANWEST (CANADA) INC.**

Applicants

ORDER

THIS MOTION, made by Eriberto Di Paolo and Rita Blondin (the "Moving Parties") for an Order (i) abridging the time for service for the Moving Parties' notice of motion and dispensing with service on any person other than those served; (ii) declaring that the claims of the Moving Parties against *The Gazette* are Assumed Liabilities within the scope of the definition of Assumed Liabilities found in the Asset Purchase Agreement (the "APA") and its schedules, and, as such, are excluded from the claims process in these proceedings; and (iii) granting such further and other relief as this Honourable Court considers just, was heard on December 10, 2010, at 330 University Avenue, Toronto, Ontario.

ON READING the Affidavit of Eriberto Di Paolo sworn December 2, 2010, the Affidavit of Rita Blondin sworn December 2, 2010, the Affidavit of Don McKay sworn December 2, 2010, and the Affidavit of Eileen Flood sworn December 5, 2010, and on hearing the submissions of the lawyers for the Moving Parties, Communications, Energy and Paperworkers' Union of Canada, Local 145, Postmedia Network Inc. and FTI Consulting Canada Inc. (the "Monitor"):

ASSUMPTION OF CLAIMS

1. THIS COURT ORDERS AND DECLARES that the claims of the Moving Parties asserted against *The Gazette* are Assumed Liabilities within the meaning of the APA and that the Moving Parties are excluded from the claims process.

RESERVE FOR CLAIMS

2. THIS COURT ORDERS that the Monitor is directed to establish a reserve for the claims of the Moving Parties until the requisite time for any appeals has expired.

A. Anissimova
Registrar

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

MAY 27 2011

PER/PAR:



POSTMEDIA NETWORK INC.

Respondent

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

Court File No: CV-10-8533-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
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Proceeding commenced at Toronto

ORDER

Goodmans LLP
Barristers & Solicitors
Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Canada M5H 2S7

Fred Myers LSUC#: 26301A
Logan Willis LSUC#: 53894K

Tel: (416) 979-2211
Fax: (416) 979-1234

Lawyers for Postmedia Network
Inc.