

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**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 COMPRISE AND ARRANGEMENT  
OF SINO-FOREST CORPORATION**

Court File No.: CV-11-431153-00CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**B E T W E E N :**

**THE TRUSTEES OF THE LABOURERS' PENSION FUND OF CENTRAL AND  
EASTERN CANADA, THE TRUSTEES OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS LOCAL 793 PENSION PLAN FOR OPERATING  
ENGINEERS IN ONTARIO, SJUNDE AP-FONDEN, DAVID GRANT and  
ROBERT WONG**

Plaintiffs

- and -

**SINO-FOREST CORPORATION, ERNST & YOUNG LLP, BDO LIMITED (formerly  
known as BDO MCCABE LO LIMITED), ALLEN T.Y. CHAN, W. JUDSON  
MARTIN, KAI KIT POON, DAVID J. HORSLEY, WILLIAM E. ARDELL, JAMES  
P. BOWLAND, JAMES M.E. HYDE, EDMUND MAK, SIMON MURRAY, PETER  
WANG, GARRY J. WEST, PÖYRY (BEIJING) CONSULTING COMPANY  
LIMITED, CREDIT SUISSE SECURITIES (CANADA), INC., TD SECURITIES INC.,  
DUNDEE SECURITIES CORPORATION, RBC DOMINION SECURITIES INC.,  
SCOTIA CAPITAL INC., CIBC WORLD MARKETS INC., MERRILL LYNCH  
CANADA INC., CANACCORD FINANCIAL LTD., MAISON PLACEMENTS  
CANADA INC., CREDIT SUISSE SECURITIES (USA) LLC and MERRILL LYNCH,  
PIERCE, FENNER & SMITH INCORPORATED (successor by merger to Banc of  
America Securities LLC)**

Defendants

**QUESTIONS ON WRITTEN CROSS-EXAMINATION  
ON AFFIDAVIT OF MIKE P. DEAN, SWORN JANUARY 11, 2013**

- 1. Provide a copy of the insurance policies that provide, or may provide, coverage to E&Y in connection with E&Y's audits of Sino-Forest, including any litigation related thereto.**

Ernst & Young LLP is prepared to share the responsive insurance policies with Kim Orr Barristers P.C., with its agreement on behalf of its clients, on a confidential, without-prejudice basis and on terms acceptable to Ernst & Young LLP. Ernst & Young LLP does not consent to their public filing or dissemination or the public disclosure of their contents. Ernst & Young LLP understands that Kim Orr has already been provided with particulars regarding its available insurance coverage on a confidential, without-prejudice basis.

- 2. Describe the coverage amount, available coverage (if different), and any other terms and/or conditions of the policies that may affect availability and/or coverage in this situation.**

See the answer to question 1 above.

- 3. What was or is the "opt out threshold" referred to in Schedule B, paragraph I(B)(ii)(a)(iii) of the Minutes of Settlement?**

The conditions precedent to the Ernst & Young Settlement and the Ernst & Young Release as defined in the Plan are set out in the Sanction Order. The opt-out threshold referred to at Schedule B of the Minutes of Settlement, if it ever became operative, is at the discretion of Ernst & Young and would be set by it at such time.

- 4. Describe any consideration or any arrangement entered into with Paulson & Co. Inc., Davis Selected Advisers LP, and/or any current or former Sino-Forest security holder, in connection with securing the support or non-opposition of any such current or former Sino-Forest security holder to the E&Y Settlement.**

The consideration for the Ernst & Young Settlement, including for the agreement of Ernst & Young to support the Plan and the agreement of the Ad Hoc Committee of Noteholders to support the Ernst & Young Settlement, has been set out in the motion materials. No additional amount is to be paid by Ernst & Young to any entities or persons holding Sino-Forest securities (including those identified) as consideration for the Ernst & Young Settlement or its approval, other than defraying certain legal costs to be incurred in the Chapter 15 proceedings.

5. If arrangements or consideration of any kind pursuant to #4 have in fact been entered into or agreed to, provide copies of any documentation or correspondence evidencing such agreement and/or consideration in exchange for supporting or not opposing the E&Y Settlement.

See the answer to question 4 above. Ernst & Young refuses any further response.

January 29, 2013

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TO: THE ATTACHED SERVICE LIST

**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 COMPRISE OR ARRANGEMENT OF SINO-FOREST CORPORATION**

THE TRUSTEES OF THE LABOURERS. et al.

Plaintiffs

SINO-FOREST CORPORATION, et al

Defendants

Court File No. CV-12-9667-00-CL

Court File No. CV-11-431153-00-CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

**RESPONSES ON WRITTEN CROSS-  
EXAMINATION  
ON AFFIDAVIT OF MIKE P. DEAN**

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