

**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 COMPROMISE OR  
ARRANGEMENT OF SIGNATURE ALUMINUM INC.

Applicant

**NOTICE OF MOTION  
(Returnable June 11, 2010)**

**THE APPLICANT**, Signature Aluminum Canada Inc. (the "Applicant"), will make a motion to the Court, on Friday, June 11, 2010, at 10:00 a.m. or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto, Ontario.

**PROPOSED METHOD OF HEARING:** The motion is to be heard orally.

**THE MOTION IS FOR AN ORDER in the form of draft order filed, *inter alia*:**

- a) abridging the time for service of the Notice of Motion, the Fifth Report of the Monitor, FTI Consulting Canada Inc., (the "Fifth Report") and Motion Record, if necessary, and declaring that the motion is properly returnable on Friday, June 11, 2010;
- b) approving and sanctioning the Applicant's second amended and restated plan of compromise and arrangement (as amended, restated or replaced from time to time) dated June 7, 2010 (the "Plan");
- c) authorizing and directing the implementation of the Plan by the Applicant and the Monitor;

- d) declaring that the Applicant has complied with the provisions of the *Companies' Creditors Arrangement Act* (Canada) R.S.C. 1985, c. C-36 (the "CCAA"), the Orders of the Court in the CCAA proceedings and that the Plan is fair and reasonable;
- e) declaring that the meeting of the creditors of the Applicant held on June 8, 2010, was duly called, held and conducted in conformity with the CCAA and in accordance with all other Order of the Court in these proceedings, including the provisions of the Creditors' Meeting Order dated May 11, 2010 (the "Creditors' Meeting Order");
- f) approving the activities and conduct of the Monitor in relation to the Applicant, the CCAA Proceedings, and in conducting and administering the Creditors' Meeting on June 8, 2010 (the "Creditors' Meeting", as more particularly described in the Fifth Report), and approving the Fifth Report and the activities of the Monitor as described therein;
- g) extending the Stay Period (as defined in the Initial Order of the Honourable Mr. Justice Morawetz dated January 29, 2010, the "Initial Order") from June 11, 2010 to and including July 12, 2010; and
- h) such further and other relief as the Applicant may request and this Honourable Court shall deem just.

**THE GROUNDS FOR THE MOTION ARE:**

- a) On January 29, 2010, the Applicant filed for and obtained protection from its creditors under the CCAA pursuant to the Initial Order;
- b) The Stay Period, as extended, expires on June 11, 2010;
- c) On May 11, 2010, the Honourable Madam Justice Hoy granted the Creditors' Meeting Order authorizing the Applicant to hold the Creditors' Meeting on June 1, 2010, or as adjourned to such places and times as the Chair may determine;

- d) The Creditors' Meeting was adjourned and subsequently held on June 8, 2010 to consider and vote on the Plan;
- e) The requisite majority of creditors present at the Creditors' Meeting either in person or by proxy voted in favour of the Plan and the votes cast by creditors in respect of disputed claims did not affect the outcome of the vote;
- f) The Plan is fair and reasonable;
- g) The Applicant has strictly complied with all statutory requirements and has adhered to previous orders of the court in these proceedings;
- h) Nothing has been done or purported to be done by the Applicant that is not authorized by the CCAA;
- i) A stay extension to July 12, 2010 will permit the Applicant time to satisfy all conditions to implementation of the Plan. The Applicant intends to implement the Plan in advance of the Plan Termination Date of June 18, 2010 to the extent that all conditions to implementation are satisfied or waived by that date. The extension to July 12, 2010 will permit sufficient time to implement the Plan, if conditions are not waived. In such event, the Applicant will seek an extension of the Plan Termination Date;
- j) The Applicant continues to act with due diligence and in good faith;
- k) The Applicant's senior secured creditors support the relief sought;
- l) the grounds as more fully described in the Affidavit of Parminder Punia sworn June 9, 2010, and the Fifth Report;
- m) Sections 6 and 11.02(2) of the CCAA;
- n) Rules 2.03, 3 and 37 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194, as amended; and

- o) Such further and other grounds as counsel may advise and this Honourable Court may permit.

**THE FOLLOWING DOCUMENTARY EVIDENCE** will be used at the hearing of the motion:

- a) The Affidavit of Parminder Punia sworn June 9, 2010;
- b) The Fifth Report, to be filed; and
- c) Such further and other materials as counsel may advise and this Honourable Court may permit.

June 9, 2010

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AND IN THE MATTER of a Plan of Compromise or Arrangement of Signature Aluminum Canada Inc.

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Proceeding commenced at Toronto

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