

IN THE MATTER OF THE RECEIVERSHIP OF SKYSERVICE AIRLINES INC.

BETWEEN:

THOMAS COOK CANADA INC.

SKYSERVICE AIRLINES INC.

- and -

Court File No. CV-10-8647-00

27 July 2

July 27, 2010

S. Kamran Thomas Cook

H. Meredith Receiver

D. Grieve Air Centre

S. Brothman LTV Sub Lessee

S. Weisig for Thomson Group

The Receiver seeks 3 orders, all of which were not opposed.

The first involved the sub lease of

a Aircraft to LTV. The details of

the same were covered in the 4<sup>th</sup> Report. I am satisfied that the proposed

order is reasonable in the circumstances

and it is approved. An order shall

issue in the form presented

ONTARIO

SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST

Proceeding Commenced at Toronto

MOTION RECORD  
(returnable July 27, 2010)



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Lawyers for FTI Consulting Canada Inc  
#1963516

The second was a request to approve  
the fees and disbursements of the Receiver  
and its counsel.

I am satisfied that the ~~fee~~ fee requests  
are reasonable in the circumstances. In making  
this determination I have taken into account  
that no party ~~has~~ has raised any issue  
with respect to the fee request. Counsel  
to the Receiver advised that no adverse  
comment has been received ~~to the~~ from  
any party on the Service Letter to the  
fee requests. The fees + disbursements of the Receiver  
and its counsel are approved for the period March 22 -

The approval of the fees and disbursements of the Receiver and its counsel for <sup>the period March 22 -</sup> ~~the~~ <sup>June 20, 2010</sup> ~~the period~~  
<sup>(Council March 17 - June 30/10)</sup>

noted above shall be without prejudice  
to the rights of the Taxpayers and

Responsible Parties (defined in Order of  
April 15, 2010) to dispute such Taxpayers  
or Responsible Parties' liability to  
Sky service, the Receiver or its  
counsel for any part of the fees  
and disbursements hereby approved  
that are claimed by Sky service,  
the Receiver ~~and~~ or its counsel  
from a Taxpayer or Responsible

IN THE MATTER OF THE RECEIVERSHIP OF SKYSERVICE AIRLINES INC.  
BETWEEN:

THOMAS COOK CANADA INC.

- and -

SKYSERVICE AIRLINES INC.

Court File No. CV-10-8647-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding Commenced at Toronto

**CLAIMS PROCEDURE ORDER**

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#1361713

*Party in account of the Aircraft Return  
Agreements, Aircraft Return Indemnity  
Agreements or Responsible Party  
Agreements (each as defined in the  
Order of April 15, 2010*

*The third issue related to the  
Claim Process. The Review, for  
reasons set forth in the 4<sup>th</sup> Report  
recommends that the process  
be commenced as at this time.  
I accept this recommendation.  
The Claim Procedure Order is  
granted in the form presented  
as amended.*

**Reason for Dispute - Please add any comments that may assist us in reviewing your claim.**

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**Acknowledgement**

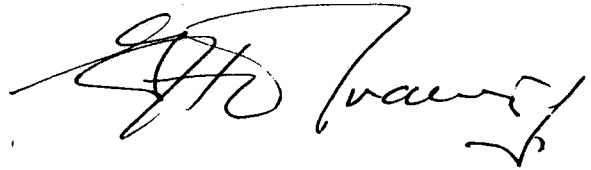
Signature

Date

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The three orders shall <sup>be to be</sup> ~~be~~ issued to  
give effect to the foregoing -



**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**IN THE MATTER OF THE RECEIVERSHIP OF  
SKYSERVICE AIRLINES INC.**

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

**THOMAS COOK CANADA INC.**

**Applicant**

**- and -**

**SKYSERVICE AIRLINES INC.**

**Respondent**

**ENDORSEMENT OF JUSTICE MORAWETZ  
(UNOFFICIAL TRANSCRIPT)**

July 27, 2010

The Receiver seeks three orders, all of which were not opposed.

The first involved the sub lease of an Aircraft to LTU. The details of the issue are covered in the Fourth Report. I am satisfied that the proposed settlement is reasonable in the circumstances and it is approved. An Order shall issue in the form presented.

The second was a request to approve the fees and disbursements of the Receiver and its counsel.

I am satisfied that the fee requests are reasonable in the circumstances. In making this determination I have taken into account that no party has raised any issue with respect to the fee request. Counsel to the Receiver advised that no adverse comment has been received from any party on the Service List to the fee request. The fees and disbursements of the Receiver and its counsel are approved for the period from March 22, 2010 to June 20, 2010 (counsel March 17, 2010 to June 30, 2010). The approval of the fees and disbursements of the Receiver its counsel for the period noted above shall be without prejudice to the rights of the Lessors and Responsible Parties (defined in Order of April 15, 2010) to dispute such Lessor's or Responsible Party's liability to Skyservice, the Receiver or its counsel for any parts of the fees and disbursements hereby approved that are claimed by Skyservice, the Receiver or its counsel from a Lessor or Responsible Party on account of the Aircraft Return Agreements, Aircraft Return Indemnity Agreements or Responsible Party Agreements (each as defined in the Order of April 15, 2010)

The third issue is related to the Claim Process. The Receiver, for reasons set forth in the Fourth Report recommends that the process be commenced at this time. I accept this recommendation. The Claim Procedure Order is granted in the form presented as amended.

The three orders [shall] are to be issued to give effect to the foregoing.

Morawetz J.

IN THE MATTER OF THE RECEIVERSHIP OF SKYSERVICE AIRLINES INC.

B E T W E E N :

THOMAS COOK CANADA INC.

- and -

SKYSERVICE AIRLINES INC.

Court File No. CV-10-8647-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

Proceeding Commenced at Toronto

**ENDORSEMENT OF  
JUSTICE MORAWETZ  
(UNOFFICIAL TRANSCRIPT)**

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