

THE QUEEN'S BENCH  
WINNIPEG CENTRE

BETWEEN:

**WINNIPEG AIRPORTS AUTHORITY INC.,**

plaintiff,

- and -

**SKYSERVICE AIRLINES INC./LIGNES AÉRIENNES SKYSERVICE INC.,**

Defendant.

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**EX-PARTE ORDER**

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**THE QUEEN'S BENCH  
WINNIPEG CENTRE**

THE HONOURABLE            )  
  )  
JUSTICE McKELVEY        )       Wednesday, March 31, 2010.

BETWEEN:

**WINNIPEG AIRPORTS AUTHORITY INC.,**

plaintiff,

- and -

**SKYSERVICE AIRLINES INC./LIGNES AÉRIENNES SKYSERVICE INC.,**

defendant.

**EX-PARTE ORDER**

THIS MOTION, made by the plaintiff, without notice to the defendant, for an Order lifting the stay and authorizing the plaintiff or its properly appointed agents or representatives to seize and detain aircraft owned or operated by the defendant and situated at the Winnipeg James Armstrong Richardson International Airport was heard this day at the Law Courts Building, 408 York Avenue, Winnipeg, Manitoba.

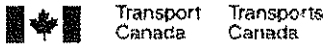
ON READING the Affidavit of Mary Ellen McDonald, sworn March 31, 2010, and on hearing the submissions of counsel for the plaintiff,

1. THIS COURT ORDERS that the plaintiff is authorized to seize the aircraft described in Schedule "A" to this Order, together with the aircraft logbooks, radios, instrumentation, manuals and all other aircraft attachments (collectively, the "Aircraft"), and to detain the Aircraft so seized until the earliest of the following:
  - a) payment is made to the satisfaction of the plaintiff; or
  - b) further Order of this Honourable Court.
2. THIS COURT ORDERS that the defendant and any lessor or titleholder, their employees, officers and agents shall not interfere with or obstruct the plaintiff in the seizure and detention of the seized Aircraft in accordance with the terms of this Order.
3. THIS COURT ORDERS that the plaintiff shall serve a copy of this Order on FTI Consulting Canada Inc. (the "Receiver"), as receiver appointed by Order of the Ontario Superior Court of Justice by Order dated March 31, 2010, Court file CV-10-8647-00CL on the application of Thomas Cook Canada Inc. (the "Ontario Order"), by electronic transmission or facsimile no later than the close of business on Thursday, April 1, 2010.
4. THIS COURT ORDERS that the Receiver may appear before this Court on or before April 9, 2010, or such other date as the parties may agree and this Honourable Court may permit, to address the issue of the stay granted by the Ontario Order.
5. THIS COURT ORDERS that this motion shall be set down on the uncontested list on or before April 9, 2010.

Dated: April , 2010

**J.G. McKELVEY**

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McKelvey, J.



Canada



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\*\*\*Current Information, directly from the Official Canadian Civil Aircraft Register database.\*\*\*

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#### Aircraft Information

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**Mark:** C-FLOX

**Common Name:** Boeing

**Model Name:** 757-2YO

**Serial No:** 26158

**Basis for Eligibility for Registration:** Type Certificate - CAR Standard 507.02, 507.03 - A161

**Category:** Aeroplane

**Max take-off weight:** 113398.09 kgs

**Engine:** 2, Turbo Fan

**24-bit address:** 110000000001111010010000

**Regional Office:** Toronto

**Year Imported:** 2008

**Base of Operations:** CANADA , Manitoba, Winnipeg - YWG

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#### Manufacturer Information

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**Manufacturer:** The Boeing Company

**Country of manufacture:** U.S.A.

**Year of Manufacture:** 1993

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#### Registration Information

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**Type of Registration:** Commercial

**Owner Registered Since:** 2008-12-16

**Latest Certificate of Registration Issued:** 2008-12-16

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#### Last Registered Owner Information

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**Name:** Skyservice Airlines Inc./Lignes Aeriennes Skyservice Inc.

**Care of:** R Marynissen-Fleet Manager

**Address:** 31 Fasken Dr.

**City:** Etobicoke

**Province/State:** Ontario

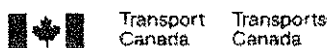
**Postal Code:** M9W 1K6

**Country:** CANADA

**Region:** Ontario

**Mail Recipient:** Yes

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\*\*\*Current Information, directly from the Official Canadian Civil Aircraft Register database.\*\*\*

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#### Aircraft Information

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**Mark:** C-FOBH

**Common Name:** Boeing

**Model Name:** 757-236

**Serial No:** 29944

**Basis for Eligibility for Registration:** Type Certificate - CAR Standard 507.02, 507.03 - A161

**Category:** Aeroplane

**Max take-off weight:** 113398.09 kgs

**Engine:** 2, Turbo Fan

**24-bit address:** 110000000010010100011010

**Regional Office:** Toronto

**Year Imported:** 2009

**Base of Operations:** CANADA , Ontario, CYYZ

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#### Manufacturer Information

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**Manufacturer:** The Boeing Company

**Country of manufacture:** U.S.A.

**Year of Manufacture:** 1999

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#### Registration Information

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**Type of Registration:** Commercial

**Owner Registered Since:** 2009-12-09

**Latest Certificate of Registration Issued:** 2009-12-09

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#### Last Registered Owner Information

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**Name:** Skyservice Airlines Inc./Lignes Aeriennes Skyservice Inc.

**Care of:** R Marynissen-Fleet Manager

**Address:** 31 Fasken Dr.

**City:** Etobicoke

**Province/State:** Ontario

**Postal Code:** M9W 1K6

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**Mail Recipient:** Yes

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