

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE MR.) THURSDAY, THE 27TH
)
JUSTICE MORAWETZ) DAY OF SEPTEMBER, 2012
)

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
TIMMINCO LIMITED AND BÉCANCOUR SILICON INC.

Applicants

**ORDER
(Re Stay Extension to December 7, 2012)**

THIS MOTION, made by Timminco Limited and Bécancour Silicon Inc. (together, the "**Timminco Entities**"), for an order, *inter alia*, (a) extending the Stay Period (defined below) until December 7, 2012; (b) approving the reports of FTI Consulting Canada Inc. in its capacity as court-appointed Monitor (the "**Monitor**") dated June 13, 2012 (the "**Eleventh Report**"), August 13, 2012 (the "**Twelfth Report**"), August 27, 2012 (the "**Thirteenth Report**") and September 18, 2012 (the "**Fourteenth Report**" and together, the "**Monitor's Reports**"); and (c) approving the accounts of the Monitor for the period ended September 9, 2012 and the Monitor's counsel for the period ended August 31, 2012, was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the affidavit of Sean Dunphy sworn September 18, 2012, the affidavit of Nigel D. Meakin sworn September 18, 2012, the affidavit of Linc Rogers sworn September 18, 2012 and the Monitor's Reports, and on hearing the

*the Timminco
Directors &
Officers, JFD*

JFD

JFD

submissions of counsel for the Timminco Entities, FTI Consulting Canada Inc., ~~OSI Partners Ltd.~~, Mercer Canada, the Administrator of the Haley Pension Plan, BSI Non-Union Employee Pension Committee and the BSI Union Employee Pension Committee, ~~the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union,~~ and St. Clair Pennyfeather, no one appearing for any other person on the service list, although duly served as appears from the affidavit of service of Kathryn Esaw sworn September 19, 2012, filed:

SERVICE

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

STAY EXTENSION

2. **THIS COURT ORDERS** that the Stay Period (as defined in paragraph 18 of the Initial Order of the Honourable Mr. Justice Morawetz dated January 3, 2012) is hereby extended until and including December 7, 2012.

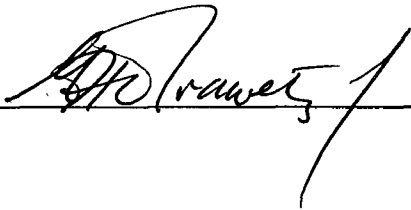
APPROVAL OF MONITOR'S REPORTS

3. **THIS COURT ORDERS** that the Eleventh Report, the Twelfth Report, the Thirteenth Report, and the Fourteenth Report, and the activities of the Monitor described therein are hereby approved.

APPROVAL OF ACCOUNTS

4. **THIS COURT ORDERS** that the accounts of the Monitor for the period ended September 9, 2012 and the Monitor's counsel for the period ended August 31, 2012 are hereby approved.

5. THIS COURT HEREBY REQUESTS the aid and recognition of any court, tribunal, regulatory or administrative body having jurisdiction in Canada or in the United States to give effect to this Order and to assist the Monitor, Russell Hill Advisory Services Inc. in its capacity as Chief Restructuring Officer of the Timminco Entities (the "CRO") and their respective agents in carrying out the terms of this Order. All courts, tribunals, regulatory and administrative bodies are hereby respectfully requested to make such orders and to provide such assistance to the Monitor and to the CRO, as an officer of this Court, as may be necessary or desirable to give effect to this Order or to assist the Monitor and its agents in carrying out the terms of this Order.



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

Court File No. CV-12-9539-00CL

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT
OF TIMMINCO LIMITED AND BÉCANOUR SILICON INC.

**ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**ORDER
(Re Stay Extension to December 7, 2012)**

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