

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE

) **THURSDAY, THE 29TH DAY
OF JANUARY 2009**

MR. JUSTICE CAMPBELL

)



**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 NMC CANADA, INC. AND
2515080 NOVA SCOTIA COMPANY**

Applicants

ORDER

THIS MOTION, made by the Applicants pursuant to the *Companies' Creditors Arrangement Act* R.S.C. 1985, c.C-36 as amended (the "CCAA") was heard this day at 330 University Avenue, Toronto, Ontario.


ON READING the Initial Order of this Court dated January 21, 2009 (the "**Initial Order**") and the affidavit of Nicholas Parker sworn January 28, 2009 and the exhibits thereto (the "**Parker Affidavit**"), and on hearing submissions from counsel for the Applicants and SKD Company, the general partnership through which the Applicants carry on business ("**SKD Company**", and together with the Applicants, the "**CCAA Parties**", and any one, a "**CCAA Party**"), counsel for RSM Richter Inc., the Monitor of the Applicants, and counsel for Honda of America Mfg., Inc., for itself and on behalf of Honda Canada Mfg., a division of Honda Canada, Inc., Honda Manufacturing of Indiana, LLC and Honda Manufacturing of Alabama, LLC (collectively,

“Honda”), and counsel for Dietron Tool and Die Inc. (“Dietron”) and upon consent of all appearing parties:

1. **THIS COURT ORDERS** that the time for service of the notice of motion and motion record herein is abridged, that this motion is properly returnable today and that further service is dispensed with, service having been effected in accordance with paragraph 53 of the Initial Order.

2. **THIS COURT ORDERS AND DIRECTS** that Dietron is a person having oral or written agreements with the CCAA Parties for the supply of goods within the meaning of paragraph 21 of the Initial Order, and, in accordance with paragraph 21 of the Initial Order, Dietron shall, forthwith upon service of this Order in accordance with paragraph 53 of the Initial Order, and delivery of payment of the amount of \$18,375, inclusive of GST, to Dietron, deliver up to the CCAA Parties the die and any related items in the possession of Dietron required by the CCAA Parties for the production of Honda part No. 65136-STX-A000-H1, as described in SKD Company’s purchase order No. 20241 (the “**Purchase Order**”) and as modified by Dietron (the “**Honda Die**”), such die to be reassembled by Dietron on or before Monday February 2, 2009, and to be picked up by SKD Company or its agents immediately thereafter at the cost of SKD Company, immediately following acceptance by SKD Company that the die has not been damaged by Dietron, has been modified as per the Purchase Order and is in proper working condition.

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:



JAN 29 2009

PER / PAR: 

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Court File No. 09-CL- 7960

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Proceeding commenced at TORONTO

ORDER

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