

Revised: May 11, 2010

Court File No. CV-14-10797-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE)
JUSTICE *WILTON - SIEGEL*)

WEDNESDAY, THE 16TH
DAY OF MARCH, 2016 *HW*

BETWEEN:



PT ATPK RESOURCES TBK (Indonesia) RC No. AHU.60183.AH.01.02

Applicant

- and -

HOPACO PROPERTIES LIMITED (Virgin Islands, British) RC No. 178636

Respondent

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

DISCHARGE ORDER

THIS MOTION, made by Rosen Goldberg Inc. in its capacity as the Court-appointed receiver and manager (the "Receiver") of the undertaking, property and assets of Hopaco Properties Limited (Virgin Islands, British) RC No. 178636 (the "Debtor"), for an order:

1. approving the activities of the Receiver as set out in the report of the Receiver dated November 30, 2015 (the "Report");
2. approving the fees and disbursements of the Receiver and its lawyer;
3. discharging Rosen Goldberg Inc. as Receiver of the undertaking, property and assets of the Debtor; and
4. releasing the Receiver from any and all liability, as set out in paragraph 4 of this Order,

was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Report, the affidavits of the Receiver and its lawyer as to fees (the "Fee Affidavits"), and on hearing the submissions of the lawyer for the Receiver, no one else appearing although served as evidenced by the Affidavit of Margaret Danaher sworn February 5, 2016, filed;

1. THIS COURT ORDERS that the activities of the Receiver, as set out in the Report, are hereby approved.
2. THIS COURT ORDERS that the fees and disbursements of the Receiver and its lawyer, as set out in the Report and the Fee Affidavits, are hereby approved.
3. THIS COURT ORDERS upon the Receiver filing a certificate certifying that it has completed the activities described in the Report, the Receiver shall be discharged as Receiver of the undertaking, property and assets of the Debtor, provided however that notwithstanding its discharge herein (a) the Receiver shall remain Receiver for the performance of such incidental duties as may be required to complete the administration of the receivership herein, and (b) the Receiver shall continue to have the benefit of the provisions of all Orders made in this proceeding, including all approvals, protections and stays of proceedings in favour of the Receiver in its capacity as Receiver and Manager of Hopaco Properties Limited (Virgin Islands, British) RC No. 178636.
4. THIS COURT ORDERS AND DECLARES that the Receiver is hereby released and discharged from any and all liability that Rosen Goldberg Inc. now has or may hereafter have by reason of, or in any way arising out of, the acts or omissions of the Receiver while acting in its

capacity as Receiver and Manager of Hopaco Properties Limited (Virgin Islands, British) RC No. 178636 herein, save and except for any gross negligence or wilful misconduct on the Receiver's part. Without limiting the generality of the foregoing, the Receiver is hereby forever released and discharged from any and all liability relating to matters that were raised, or which could have been raised, in the within receivership proceedings, save and except for any gross negligence or wilful misconduct on the Receiver's part.



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



MAR 16 2016

PT ATPK RESOURCES TBK (Indonesia) RC No. AHU.60183.01.02
Applicant

HOPACO PROPERTIES LIMITED (Virgin Islands, British) RC No. 178636
Respondent

Court File No. CV-14-10797-00CL

ONTARIO

SUPERIOR COURT OF JUSTICE

Commercial List

IN THE MATTER OF SECTION 101 OF
THE COURTS OF JUSTICE ACT,
R.S.O. 1990 C.C.43, AS AMENDED

Proceeding commenced at Toronto

ORDER

Harvey S. Dorsey
Barrister Solicitor Professional Corporation
77 King Street West, Suite 2915
P.O. Box 344, TD Centre North Tower
Toronto, Ontario M5K 1K7

LSUC#: 18741U
Tel: (416) 861-1876
Fax: (416) 861-1430
Email: hsd@dorseylaw.ca

Lawyer for the Receiver