

PRACTICE DIRECTION

Re: Revised Model *Companies' Creditors Arrangement Act* Initial Order

On December 1, 2006, the Court adopted a standard form of order for initial orders made pursuant to the *Companies' Creditors Arrangement Act* ("CCAA"). The purpose of the Model CCAA Initial Order was to enable the Court to deal with applications for initial orders under the CCAA in an efficient and effective manner by having the parties focus on the particular issues in dispute.

Commencing July 1, 2009, the Court will adopt a revised standard form of order for initial orders made pursuant to the CCAA. A party seeking an initial order pursuant to the CCAA must use the attached Revised Model CCAA Initial Order unless the relief sought differs from that provided for in the Revised Model CCAA Initial Order.

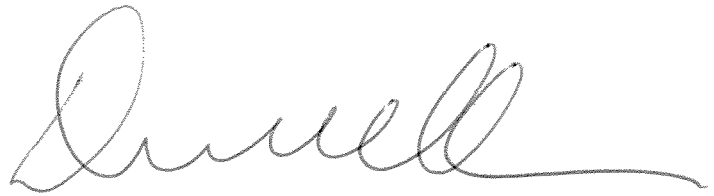
The Revised Model CCAA Initial Order includes a number of explanatory notes the purpose of which is to assist counsel in using the Revised Model CCAA Initial Order and to alert counsel to the fact that not all of the provisions of the Revised Model CCAA Initial Order are appropriate in every case.

In the event that the applicant seeks relief which differs from that provided for in the Revised Model CCAA Initial Order, the applicant must:

1. Identify for the court and any other counsel in what respects the relief sought differs from that provided for in the Revised Model CCAA Initial Order Model by providing a black line copy of the order sought as compared with the Revised Model CCAA Initial Order;
2. Explain to the court the basis upon which it should grant relief in terms different from those provided for in the Revised Model CCAA Initial Order; and
3. Provide the court with a copy of the Explanatory Notes for review, if required.

The Revised Model CCAA Initial Order and the Explanatory Notes, like their predecessors, were developed by the British Columbia Model Insolvency Order Committee whose membership included Judges of the Supreme Court of British Columbia and representatives of the British Columbia Insolvency Bar and the Trustee community. Most of the amendments to the original Model CCAA Initial Order were made to account for developments in the law and practice which have occurred since the introduction of the original Model CCAA Initial Order and to align, as much as possible, the practice in British Columbia with other common law jurisdictions in Canada.

June 1, 2009

A handwritten signature in black ink, appearing to read 'Donald I. Brenner', with a long horizontal flourish extending to the right.

Donald I. Brenner,
Chief Justice