

**ONTARIO
SUPERIOR COURT OF JUSTICE**

HONOURABLE MR. JUSTICE WINKLER (WEDNESDAY, THE 17TH
(
(DAY OF JANUARY, 2007

BETWEEN:

ROBERT TOEVS

Plaintiff

- and -

YORKTON SECURITIES INC., YORKTON FINANCIAL INC.
(formerly YORKTON HOLDINGS LIMITED),
and GORDON SCOTT PATERSON

Defendants

- and -

PHILIP A. DELEON, ROGER DENT,
ALAIN LAMBERT, HARRY McCULLOUGH, ONX INCORPORATED,
SHELDON M. POLLACK, KURT PORTMAN, W. CARTER SIEBENS

Third Parties

Proceedings under the Class Proceedings Act, 1992

ORDER

THIS MOTION, made by the Defendants, for an Order discharging the Administrator and releasing the Letter of Credit posted by the Contributing Parties to secure the Capital Loss Settlement Payments, both in accordance with the terms of the Judgment of the Honourable Mr. Justice Winkler, dated January 10, 2006, was heard this day, at Toronto, Ontario.

ON READING the Notice of Motion of the Defendants, the affidavit of Patrick McNenly, sworn January 16, 2006, and the Consent of the parties, and on hearing the submissions of counsel for the Defendant, Yorkton Securities Inc.,

1. **THIS COURT ORDERS** that the Administrator is discharged.
2. **THIS COURT ORDERS** that Standby Letter of Credit No. BMT01183890S posted with the Bank of Montreal is hereby determined to have expired and shall be released to Orion Securities Inc..



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A handwritten mark or signature in black ink, consisting of several vertical and diagonal strokes, located in the bottom right corner of the page.

Robert Toews
Plaintiff

and

Yorkton Securities Inc. et al.
Defendants

and

Philip A. DeLeon et al.
Third Parties

Court File No: 02-CV-231809CPA

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

ORDER

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