

Kub 11108

The applicants seek an initial CCAA order. BMO is a secured lender <sup>and not a trustee</sup> has a CCA over AR + inventory. The applicants ops - Canada + each is insolvent. In excess of approx \$27 million is owed to BMO. The applicants have encountered financial difficulties due to, amongst other things, increased wheat prices, the appreciation of the Canadian \$ (the majority of the applicants' customers being US based) + inadequate government controls. The relief is requested to maintain the status quo, preserve stability + to enable the applicants to proceed with a sales process.

I am satisfied that the order requested as amended should be granted + I have signed the amended initial order. The committee provision has been amended to provide 3 days' notice to any party or parties likely to be affected by any order seeking any amendment or variation.

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 UPPER CRUST LTD. AND PAR-BAKED INC.

Court File No: 08-CL-

ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)

Proceeding commenced at Toronto

APPLICATION RECORD  
(RETURNABLE FEBRUARY 11, 2008)

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