

**SUPERIOR COURT OF JUSTICE
- COMMERCIAL LIST**

THE HONOURABLE MR.
JUSTICE R.A. BLAIR

)
)

WEDNESDAY, THE 8TH DAY
OF MAY, 2002



**IN THE MATTER OF
CONFEDERATION LIFE INSURANCE COMPANY**

**AND IN THE MATTER OF THE
*INSURANCE COMPANIES ACT, S.C. 1991, AS AMENDED***

**AND IN THE MATTER OF THE
*WINDING-UP ACT, R.S.C. 1985, C.W-11, AS AMENDED***

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

Applicant

- and -

CONFEDERATION LIFE INSURANCE COMPANY

Respondent

ORDER

THIS MOTION made by KPMG Inc., the Liquidator (the “Liquidator”) of Confederation Life Insurance Company (“Confed”) was heard this day at 361 University Avenue, Toronto, Ontario.

ON READING the Report of the Liquidator dated May 2, 2002 (the “Report”), filed, and upon hearing the submissions of counsel for the Liquidator, of James H. Grout as representative counsel, no other party appearing, although properly served as appears from the proof of service, filed;

1. **THIS COURT ORDERS** that the service made of the Notice of Motion and supporting materials herein is good and sufficient notice of this motion, that this motion is properly returnable today, and that any further service or notice of the Notice of Motion and supporting materials be and the same is hereby dispensed with.

2. **THIS COURT ORDERS** that the accounts of the Liquidator for the periods July 1, 2001 to September 30, 2001, October 1, 2001 to December 31, 2001 and January 1, 2002 to March 31, 2002, as reflected in the financial statements of Confed attached to the Report, and the fees and disbursements of the Liquidator, of its counsel, Goodmans LLP, and of the other professional advisors to the Liquidator for that period, be and they are hereby passed and approved as submitted.

3. **THIS COURT ORDERS** that the Liquidator be and it is hereby authorized to make a fourth interim distribution of \$62.636 million to those creditors of Confed whose claims are not subordinated (the "Ordinary Creditors"). The Ordinary Creditors of Confed shall be paid *pro rata* as their claims are admitted to the estate in accordance with the allowance process approved by this Court in accordance with their interest in the estate.



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

MAY 09 2002

PER/PAR: 

THE ATTORNEY GENERAL OF CANADA
Applicant

and

CONFEDERATION LIFE INSURANCE COMPANY
Respondent

Commercial List Court File No: 97-BK-000543

SUPERIOR COURT OF JUSTICE
– COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

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Solicitors for KPMG Inc., the Liquidator of
Confederation Life Insurance Company

G26\4435799.1

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- and -

CONFEDERATION LIFE INSURANCE COMPANY

Respondent

**ENDORSEMENT OF
THE HONOURABLE MR. JUSTICE BLAIR**

Counsel: Gale Rubenstein, for KPMG Inc., Liquidator of Confederation Life Insurance
Company
James H. Grout, Representative Counsel for Ordinary Creditors

Date: May 8, 2002

BLAIR, R.S.J.

On the basis of the thorough Report of the Liquidator and the submission of counsel and of Mr. Grout on behalf of the Ordinary Creditors, I am satisfied that the proposed Fourth Distribution to ordinary Creditors should be approved and that the accounts of the Liquidator for the three quarters in question, together with the fees and disbursements in question shall be approved as well. I need not repeat my remarks in earlier endorsements respecting the successful liquidation of this estate. It continues.

Accordingly, an order will go as asked.

R.A. BLAIR R.S.J.

~~May 8/02~~ ~~May 8/02~~

May 8, 2002

Gale Rubenstein, for Liquidator
James Grant, Rep. Counsel for
Ordering Creditors

**SUPERIOR COURT OF JUSTICE
- COMMERCIAL LIST**

Proceeding commenced at Toronto

MOTION RECORD

On the basis of the thorough
Report of the liquidator and the
submissions of counsel & of Mr.
Grant on behalf of the Ordering
Creditors, I am satisfied that
the proposed fourth distribution to
Ordering Creditors should be
approved & that the accounts of
the liquidator for the three quarters in
question, together with the fees &
disbursements in question should be
approved as well. I need not
repeat my remarks in earlier
endorsements respecting the successful
liquidation of this estate. If continue.
Accordingly, an order will go as asked.



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Solicitors for KPMG Inc., the Liquidator of
Confederation Life Insurance Company

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