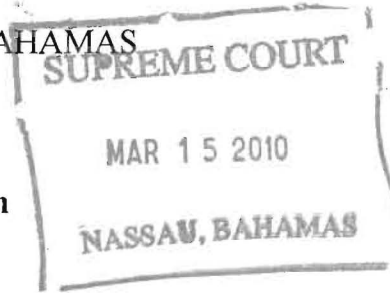


COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

Common Law & Equity Division

BETWEEN



2010/CLE/gen

No. 00176

**KPMG INC.**

(In its capacity as the Receiver and Manager of New Life Capital Corp, New Life Capital Investments Inc., New Life Capital Advantage Inc., New Life Capital Strategies Inc., 1660690 Ontario Ltd., 2126375 Ontario Inc., 2108375 Ontario Inc., 2126533 Ontario Inc., 2152042 Ontario Inc., 2100228 Ontario Inc. and 2173817 Ontario Inc.)

**Plaintiff**

AND

**L. JEFFREY POGACHAR**

**1<sup>st</sup> Defendant**

AND

**PAOLA LOMBARDI**

**2<sup>nd</sup> Defendant**

AND

**LEXINGTON CONSULTING INC**

**3<sup>rd</sup> Defendant**

AND

**AMARCORD INTERNATIONAL INC**

**4<sup>th</sup> Defendant**

**ORDER**

**Dated the 15<sup>th</sup> day of March, A.D., 2010**

**BEFORE HIS LORDHIP** the Honourable Mr. Justice Bernard Turner Justice of the Supreme Court of the Commonwealth of the Bahamas.

**UPON READING** the Summons filed herein on the 11<sup>th</sup> March, A.D., 2010

**AND UPON READING** the Affidavit of Ashley N. Sands filed herein on the 12<sup>th</sup> March A.D., 2010

**AND UPON HEARING** Mrs. G. Diane Stewart along with Ms. Justine Cleare on behalf of the Plaintiff.

**IT IS HEREBY ORDERED THAT:**

1. The Order made by this Court on the 12<sup>th</sup> February, 2010 as amended on the 22<sup>nd</sup> February, 2010 (the Bahamian Order) which specifically recognized and extended as Bahamian Orders the Receivership Orders made in Canada in Action #09-CL-7832 on the 17<sup>th</sup> December, 2008, 18<sup>th</sup> March, 2009, 18<sup>th</sup> September, 2009, 22<sup>nd</sup> January, 2010, now recognizes as part of the 22<sup>nd</sup> January 2010 Order the amendment thereto made on the 5<sup>th</sup> March 2010.
2. The costs of the application be provided for.

**BY ORDER OF THE COURT**

**REGISTRAR**

COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

**Common Law & Equity Division**

**BETWEEN**

**KPMG INC.**

(In its capacity as the Receiver and Manager of New Life Capital Corp, New Life Capital Investments Inc., New Life Capital Advantage Inc., New Life Capital Strategies Inc., 1660690 Ontario Ltd., 2126375 Ontario Inc., 2108375 Ontario Inc., 2126533 Ontario Inc., 2152042 Ontario Inc., 2100228 Ontario Inc. and 2173817 Ontario Inc.)

**Plaintiff**

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**4<sup>th</sup> Defendant**

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**ORDER**

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2010/CLE/gen

No. 00176

*McKinney, Bancroft & Hughes*  
MCKINNEY, BANCROFT & HUGHES

Chambers

Mareva House

4 George Street

Nassau, Bahamas

KP.3/2/GDS/JAC/ntk