

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF CALGARY

I hereby certify this to be a true copy of

the original Order

Dated this 27 day of Oct 2009

P. Gaudet
for Clerk of the Court

IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, as amended

AND IN THE MATTER OF **BUDGET WASTE INC.**

BEFORE THE HONOURABLE) At the Calgary Courts Centre, in the City
JUSTICE S.J. LOVECCHIO) of Calgary, in the Province of Alberta, on
IN CHAMBERS) **Friday the 16th day of October, 2009.**

ORDER

(Extension of Stay Period)

UPON the application of BUDGET WASTE INC., (the "Applicant", BWI", the "Company"); **AND UPON** reading the Affidavit of Branislav Jovanovic, filed October 14, 2009; **AND UPON** reading the Sixth Monitor's Report; **AND UPON** hearing counsel for BWI, the Monitor, and other interested counsel; **AND UPON** reading the previous Affidavits and Orders in these proceedings: **IT IS HEREBY ORDERED:**

1. THAT the time for service and hearing of the Notice of Motion and materials in support thereof, including the manner of service, be and is hereby abridged to the date of service and service is deemed good and sufficient;

2. THAT the hearing date for the disclaiming of the leases held by the Company shall be adjourned to **Thursday, November 26, 2009**.
3. THAT the application relating to the Notice of Dispute filed by the Roche Group shall be adjourned to **Thursday, November 26, 2009**.
4. THAT the Company shall be entitled to make the final payment relating to the Alcom Equipment Lease, in the amount of \$15,000.00, plus GST, and upon such payment being made, it is directed that Alcom shall have no further interest in the equipment;
5. THAT the Company shall be entitled and is directed to serve Notices of Dispute in relation to the claims of Maclin Motors, 202287 Construction Group Services Ltd. and Contract Funding Group. In the event the Company elects to dispute these claims, the terms and conditions of paragraphs 7 through 10 of the Claims Procedure Order shall apply, provided however that:
 - i. The Company shall issued the Notice of Dispute to the creditor on or before October 21st, 2009;
 - ii. The Creditor, if it objects to the Notice of Dispute, shall notify BWI and provide the Notice of Objection on or before November 4th, 2009; and
 - iii. Where the Notice of Objection has been provided by the Creditor, the Creditor shall, on or before November 11th, 2009 serve on BWI, with a copy to the Monitor, a Notice of Motion returnable within

seven (7) days before the Alberta Court of Queen's Bench, in these proceedings, for the determination of the claim in dispute, and that dispute shall be heard by this Court on Thursday, November 26, 2009;

iv. A Creditor not filing a Notice of Objection to a Notice of Dispute issued by BWI shall, unless otherwise ordered by this Court, be deemed to have accepted the assessment of its claim as set out in the Notice of Dispute.

6. THAT Canadian Western Bank ("CWB") is hereby granted leave to proceed with an application with respect to the title and ownership of the motor vehicles subject to the November 5, 2005 lease agreement between CWB and R. Baker Plumbing & Heating Ltd., the motor vehicles more particularly described as (1) 2006 Freightliner Model MM106064S s/n 1FVHCYDJ66HW38571 including roll off body and (1) 2006 Freightliner Model MM106064S s/n 1FVHCYDJ46HW38570 including roll off body
7. THAT the Initial Order in these proceeds granted March 4, 2009 be and is hereby extended in its entirety to **9:00 AM on December 10, 2009.**


8. THAT service of this Order may be affected by electronic or facsimile transmission.

"S.J. Loverchio"

J.C.C.Q.B.A.

APPROVED as to form and Content
This 22nd day of October, 2009.

BLAKE CASSELS & GRAYDON LLP

Per: 
Dufferin Harper
Counsel for the Monitor, Hardie & Kelly Inc.

To: Service List, as attached

ENTERED this 27 day of
October, 2009. K. MCAUSLAND



CLERK OF THE COURT

