

Action No.: 0901-02873

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

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

AND IN THE MATTER OF **CANADIAN SUPERIOR ENERGY INC.**

AND IN THE MATTER OF **SEEKER PETROLEUM LTD.**

AND IN THE MATTER OF **CANADIAN SUPERIOR TRINIDAD AND TOBAGO
LIMITED**

NOTICE OF MOTION

TAKE NOTICE that an application will be made on behalf of the Applicant Canadian Superior Energy Inc. (CSEI), before Mr. Justice S. J. LoVecchio, at the Court House, in the City of Calgary, in the Province of Alberta, on **Wednesday**, the **13th** day of **May, 2009**, at **1:00** o'clock in the afternoon, or so soon thereafter as counsel may be heard for an Order to require Hardie & Kelly, the Monitor of CSEI, to transfer funds held by it pursuant to the terms of paragraph 6 of the Initial Order granted by this Court on March 5, 2009 (the "Initial Order"), to CSEI, and for a further Order allowing CSEI to utilize those funds in the ordinary course of its business operations, without condition or restriction

AND TAKE NOTICE that the grounds upon which the Applicants rely are:

- (a) At the time of filing the CCAA application and the granting of the Initial Order, CSEI had applied for and obtained Value Added Tax ("VAT") Refunds in Trinidad and Tobago;
- (b) The VAT payments, which result in the VAT Refunds, were made in their entirety by CSEI, and the funds are properly belonging to CSEI;
- (c) Pursuant to the terms of the Initial Order, at the request of certain parties, the VAT Refunds in the possession of CSEI in Trinidad and Tobago were converted to US dollars and transferred to the Monitor, to be dealt with only upon further order of this Court;
- (d) The Cash Flow Projections filed by the Leif Snethun, and supported by the Monitor, contemplate utilization of the \$2.1 million USD currently held by the Monitor.

AND FURTHER TAKE NOTICE that in support thereof will be read the Affidavit of Robb Thompson, sworn May 6th, the Affidavit of Leif Snethun sworn May 1st, , and the Four Reports the Monitor filed in these proceedings, and such further and other material as counsel may advise.

DATED at the City of Calgary, in the Province of Alberta, this 7th day of May, 2009.

MacDONALD HANLEY

Per: 

JAMES G. HANLEY
Counsel for the Applicant
Canadian Superior Energy Inc.

TO: The Clerk of the Court

AND TO: The Service List Attached hereto as Schedule "A"

IN THE MATTER OF CANADIAN SUPERIOR ENERGY INC., et al

SCHEDULE "A" SERVICE LIST

| LAW FIRM | COUNSEL FOR: | CONTACT INFO. |
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| THACKRAY BURGESS Barristers and Solicitors Attn: James G. Hanley 1900, 736 - 6 Avenue SW Calgary, AB, T2P 3T7 | Canadian Superior Energy Inc. ("CSEI") | Tel: 403.531.4712 Fax: 403.531.4720 Email: jhanley@thackrayburgess.com |
| HARDIE & KELLY INC. Trustees in Bankruptcy Attn: Marc Kelly 206, 5800 - 2 Street SW Calgary, AB, T2H 0H2 | Monitor for CSEI | Tel: 403.252.1766 Fax: 403.640.0591 Email: mkelly@insolvency.net |
| DELOITTE & TOUCHE Trustees in Bankruptcy Attn: Victor Kroeger 3000, 700 - 2 Street SW Calgary, AB, T2P 0S7 | Receiver in BGI action | Tel: 403.267.0609 Fax: 403.263.2390 Email: vkroeger@deloitte.ca |
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| PARLEE McLAWS LLP Attention: G. Scott Watson 3400 Petro-Canada Centre 150 - 6 Avenue SW Calgary, AB, T2P 3Y7 | 1) Camden Resources Ltd., 2) Bolter Resource Consulting Ltd. 3) Choya Petroleums Ltd. 4) Pronghorn Controls Ltd. | Tel: 403-294-7038 Fax: 403-265-8263 Email: swatson@parlee.com |

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| <p>GOWLINGS Barristers and Solicitors Attn: Craig McMahon 1400, 700 - 2 Street SW Calgary, AB, T2P 4V5</p> | <p>Energy Management and Services Company (EMSC) and also AECOM Canada Ltd. (AECOM)</p> | <p>Tel: 403.298.1874 Fax: 403.695.3584 Email: craig.mcmahon@gowlings.com</p> |

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