

**ONTARIO
SUPERIOR COURT OF JUSTICE
- COMMERCIAL LIST -**

**IN THE MATTER OF
RELIANCE INSURANCE COMPANY**

**AND IN THE MATTER OF THE
INSURANCE COMPANIES ACT, S.C. 1991, C.47, AS AMENDED**

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

B E T W E E N:

THE ATTORNEY GENERAL OF CANADA

Applicant

- and -

RELIANCE INSURANCE COMPANY

Respondent

**NOTICE OF MOTION
(Returnable June 29, 2011)**

KPMG Inc., liquidator (the "Liquidator") of the insurance business of Reliance Insurance Company in Canada ("Reliance Canada"), will make a motion to a Judge presiding over the Commercial List on Wednesday, June 29, 2011 at 10:00 a.m., or as soon after that time as the motion can be heard, at 330 University Avenue, Toronto.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

1. An Order substantially in the form attached as Schedule "A" hereto: and
2. Such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE MOTION ARE:

1. The Liquidator is seeking an Order:
 - (a) passing the accounts and approving the activities of the Liquidator for the period October 1, 2009 to March 31, 2011 (the "Period"), as reflected in the Report of the Liquidator dated June 21, 2011 and the financial statements of Reliance Canada; and
 - (b) approving the professional fees and costs of the Liquidator and of its counsel for the Period;;
2. Rule 37 of the *Rules of Civil Procedure*;
3. Sections 33 and 35 of the *Winding-up and Restructuring Act*;
4. The Orders of this Honourable Court made herein on December 3, 2001; and
5. Such further and other grounds as counsel may advise and this Honourable Court permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1. The Report of the Liquidator dated June 21, 2011;
2. Affidavit of Elizabeth J. Murphy sworn June 21, 2011;
3. Affidavit of Gale Rubenstein sworn June 21, 2011; and

4. Such further and other evidence as counsel may advise and this Honourable Court permit.

June 22, 2011

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**ONTARIO
SUPERIOR COURT OF JUSTICE
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THE HONOURABLE ●) WEDNESDAY, THE 29TH DAY
)
) OF JUNE 2011

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B E T W E E N:

THE ATTORNEY GENERAL OF CANADA

Applicant

- and -

RELIANCE INSURANCE COMPANY

Respondent

ORDER

THIS MOTION, brought by KPMG Inc., liquidator (the "Liquidator") of the insurance business in Canada of Reliance Insurance Company ("Reliance Canada"), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Report of the Liquidator dated June 21, 2011 (the "Report"), the Affidavit of Gale Rubenstein sworn June 21, 2011 and the Affidavit of Elizabeth J. Murphy

sworn June 21, 2011, filed, and on hearing submissions of counsel for the Liquidator, no other party appearing, although properly served as appears from the proof of service, filed:

1. **THIS COURT ORDERS** that the service of the Notice of Motion and materials herein is good and sufficient service of this motion, that the motion is properly returnable before this Court and that further service thereof upon any interested party other than those parties served be and is hereby dispensed with.

2. **THIS COURT ORDERS** that the accounts and activities of the Liquidator for the period October 1, 2009 to March 31, 2011 (the "Period"), as reflected in the Report and the financial statements of Reliance Canada attached to the Report, be and they are hereby passed and approved as submitted.

3. **THIS COURT ORDERS** that the fees and disbursements of the Liquidator and of its counsel, Goodmans LLP, for the Period, be and they are hereby approved as submitted.

THE ATTORNEY GENERAL OF CANADA
Applicant and

RELIANCE INSURANCE COMPANY
Respondent

Court File No: 01-CL-4313

**ONTARIO
SUPERIOR COURT OF JUSTICE
- COMMERCIAL LIST**

Proceeding commenced at Toronto

**ORDER
(June 29, 2011)**

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File No. 016699

THE ATTORNEY GENERAL OF CANADA
Applicant

and

RELIANCE INSURANCE COMPANY
Respondent

Court File No: 01-CL-4313

ONTARIO
SUPERIOR COURT OF JUSTICE
- COMMERCIAL LIST -

Proceeding commenced at TORONTO

NOTICE OF MOTION
(Returnable June 29, 2011)

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