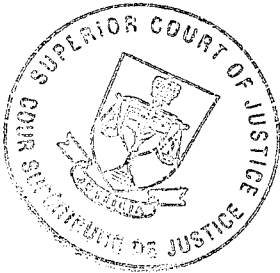


**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

THE HONOURABLE ) FRIDAY, THE 23rd DAY  
 )  
MR. JUSTICE MORAWETZ ) OF JANUARY 2009



**IN THE MATTER OF THE COMPANIES'  
CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C.  
36, AS AMENDED;**

**IN THE MATTER OF THE COURTS OF JUSTICE  
ACT, R.S.O. 1990, c. C-43, AS AMENDED;**

**AND IN THE MATTER OF A PROPOSED  
COMPROMISE AND ARRANGEMENT IN  
RESPECT OF TAHERA DIAMOND CORPORATION  
and BENACHEE RESOURCES INC.**

**ORDER**

**THIS MOTION** brought by Pricewaterhouse Coopers Inc. in its capacity as former monitor (the "Former Monitor") of the applicants, Tahera Diamond Corporation and Benachee Resources Inc. (together, the "Applicants"), for an order approving the Former Monitor's reports, approving the fees and disbursements of the Former Monitor and its legal counsel, and certain other relief was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Notice of Motion dated January 16, 2009, the Reports, including the Affidavit filed on behalf of the Former Monitor, sworn January 14, 2009, and the Affidavit filed on behalf of its counsel, sworn January 16, 2009, in both cases as to their fees (together, the "Fee Affidavits"), attached as Appendices "C" and "D" to the Tenth Report, and upon hearing counsel

<sup>9/3</sup> for the Applicants, ~~counsel for A. Farber & Partners Inc. (monitor of the Applicants)~~, <sup>2/19</sup> counsel for ~~Caz Petroleum Inc., and counsel for the Department of Justice, and~~, <sup>9/3</sup> and upon reading the affidavit of service of Annie Kwok sworn January 19, 2009.

## SERVICE

1. **THIS COURT ORDERS** that the time for service of this Notice of Motion and the materials filed in support thereof be and is hereby abridged, that the service of this motion has been properly effected, and that this motion is properly made returnable today.

## APPROVALS

2. **THIS COURT ORDERS** that the Former Monitor's Eighth Report, dated November 26, 2008, the Former Monitor's Ninth Report, dated December 10, 2008, and the Former Monitor's Tenth Report dated January 15, 2009 (collectively, the "Reports") be and they are hereby approved.

3. **THIS COURT ORDERS** that all of the Former Monitor's activities and recommendations described in the Reports be and they are hereby approved.

4. **THIS COURT ORDERS** that the Former Monitor has satisfied all of its duties, responsibilities, and obligations pursuant to the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 ("CCAA") and all orders made in these CCAA proceedings;

5. **THIS COURT ORDERS** that any and all claims against the Former Monitor in the within CCAA proceedings be and hereby are forever barred and extinguished, and that the Former Monitor be and it is hereby released of and from any and all claims;

6. **THIS COURT ORDERS** that the fees and disbursements of the Former Monitor and its counsel, as set out in the Fee Affidavits, be and they are hereby approved.

A handwritten signature in black ink, appearing to read "J.P. [unclear]", written over a horizontal line.

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

JAN 23 2009

PER / PAR: TV

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED  
IN THE MATTER OF THE COURTS OF JUSTICE ACT, R.S.O. 1990, c. C-43, AS AMENDED.  
AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE AND ARRANGEMENT IN RESPECT OF  
TAHERA DIAMOND CORPORATION and BENACHEE RESOURCES INC.

Applicants

Court File No. 08-CL-7355

ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST

Proceeding commenced at Toronto

ORDER

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Diamond Corporation and Benachee Resources  
Inc.