

I hereby certify this to be a true copy of the original Order dated this 25th day of June 2005 for Clerk of the Court

ACTION NO: 0401-19905

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

IN THE MATTER OF

TITAN INVESTMENTS LIMITED PARTNERSHIP, and TITAN GENPAR INC, and  
EVOLUTION CAPITAL MANAGEMENT LTD, and THE ESTATE OF DAVID  
COMTE, DECEASED, and THE COMTE FAMILY TRUST and  
PREDATOR HOLDINGS LTD.

IN THE MATTER OF THE JUDICATURE ACT, R.S.A. 2000, c. J-2,  
and RULES 467 and 468 OF THE ALBERTA RULES OF COURT

BEFORE THE HONOURABLE ) At the Court House in the City of Calgary, in  
MR. JUSTICE S. J. LOVECCHIO ) the Province of Alberta, on Wednesday, the  
IN CHAMBERS ) 25<sup>th</sup> day of May, 2005.  
)

ORDER

UPON the Joint Application of the Receiver and Manager, Alger & Associates Inc. (the "Receiver") and the Investors Committee; AND UPON HEARING FROM Counsel for the Investors Committee; AND UPON noting that all investors in the Titan Investments Limited Partnership ("Titan Partnership") that have not received distributions from the Titan Partnership in an amount greater than seventy-five per cent (75%) of their investment in the Titan Partnership (the "Unpaid Investors") have been served with notice of this Joint Application in accordance with the Order for Service *Ex Juris* / Substitutional Service granted in these proceedings on April 8, 2005; IT IS HEREBY ORDERED THAT:

1. The Receiver, the Investors Committee and the individual members of the Investors Committee, and each of them, are released from any liability whatsoever for not advancing arguments of deceit, conversion, mistake, unjust enrichment, constructive trust or resulting trust before the Court on behalf of the Unpaid Investors or on behalf of the Titan Partnership.

ENTERED THIS 30<sup>th</sup> DAY OF June 2005  


  
J.C.Q.B.A.

Clerk of the Court

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

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IN THE MATTER OF

TITAN INVESTMENTS LIMITED PARTNERSHIP,  
and TITAN GENPAR INC, and EVOLUTION  
CAPITAL MANAGEMENT LTD, and THE ESTATE  
OF DAVID COMTE, DECEASED, and THE COMTE  
FAMILY TRUST and PREDATOR HOLDINGS LTD.

IN THE MATTER OF THE *JUDICATURE ACT*,  
R.S.A. 2000, c. J-2, and RULES 467 and 468 OF THE  
ALBERTA RULES OF COURT

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ORDER

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