



No. S-115028
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

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

AND

IN THE MATTER OF THE *CANADA BUSINESS CORPORATION ACT*, R.S.C. 1985, c. C-44

AND

IN THE MATTER OF PAKIT INC.

PETITIONER

APPLICATION RESPONSE

Application response of: Fairfax Financial Holdings Ltd. (the "Application Respondent")

THIS IS A RESPONSE TO the notice of application of Pakit Inc. filed August 23, 2011.

Part 1: ORDER CONSENTED TO

The application respondent consents to the granting of the orders set out in the following paragraphs of Part 1 of the notice of application on the following terms: NIL

Part 2: ORDERS OPPOSED

The application respondent opposes the granting of the orders set out in paragraph 1 of Part 1 of the notice of application.

Part 3: ORDERS ON WHICH NO POSITION IS TAKEN

The application respondent takes no position on the granting of the orders set out in paragraphs NIL of Part 1 of the notice of application.

Part 4: FACTUAL BASIS

1. Circumstances do not exist which make a continuation of the CCAA stay, granted on July 28, 2011, appropriate.

Part 5: LEGAL BASIS

1. The Application Respondent will rely upon section 11.02 of the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended, and the inherent jurisdiction of the court.

Part 6: MATERIAL TO BE RELIED ON

1. Affidavit #1 of Hoa Ung, made August 24, 2011;
2. Affidavit #1 of Paula Sawyers, made August 24, 2011;
3. The First Report of the Monitor dated August 24, 2011; and
4. The pleadings and affidavits filed in support of S.C.B.C. Action #S-114513, Vancouver Registry.

The application respondent estimates that the application will take 2 hours.

☐ The application respondent has filed in this proceeding a document that contains the application respondent's address for service.

☒ The application respondent has not filed in this proceeding a document that contains an address for service. The application respondent's ADDRESS FOR SERVICE is:

595 Burrard Street, P.O. Box 49314
Suite 2600, Three Bentall Centre
Vancouver, BC V7X 1L3



Date: August 24, 2011

Signature of
☐ application respondent
☒ lawyer for application respondent
Peter L. Rubin