

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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: In re: Chapter 11
: THE CONSUMERS TRUST, Case No. 05 – 60155
: Debtor.
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ORDER (I) APPROVING PROCEDURES FOR NOTIFYING CREDITORS OF THE COMMENCEMENT OF THE DEBTOR’S CHAPTER 11 CASE; (II) ESTABLISHING A DEADLINE FOR THE FILING OF PROOFS OF CLAIM; (III) APPROVING THE FORM AND MANNER OF NOTICE THEREOF; AND (IV) WAIVING THE REQUIREMENT TO FILE A LIST OF CREDITORS

Upon the Motion for Order (I) Approving Procedures for Notifying Creditors of the Commencement of the Debtor’s Chapter 11 Case; (II) Establishing a Deadline for the Filing of Proofs of Claim; (III) Approving the Form and Manner of Notice Thereof; and (IV) Waiving the Requirement to File a List of Creditors, dated December 5, 2005 (the “Motion”)¹ of the above captioned debtor and debtor-in-possession (the “Debtor”); and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided and it appearing that no other or further notice need be provided; and the relief requested in the Motion being in the best interests of the Debtor and its estate and creditors; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor, it is hereby ordered that:

¹ Capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Motion.

1. The Motion is granted in all respects.
2. The use of the Commencement Notice substantially in the form attached as Exhibit "A" to the Motion (the "Commencement Notice") is approved.
3. The use of the Proof of Claim Form substantially in the form attached as Exhibit "B" to the Motion (the "Proof of Claim Form") is approved.
4. The use of the Consumer Claim Explanation Notice substantially in the form attached as Exhibit "C" to the Motion as modified to eliminate paragraph 9 therefrom (the "Consumer Claim Explanation Notice") is approved.
5. The use of the Bar Date Notice substantially in the form attached as Exhibit "D" to the Motion (the "Bar Date Notice") is approved.
6. The Debtor, with the assistance of the Claims and Noticing Agent, is directed to mail (i) the Commencement Notice, (ii) the Proof of Claim Form; and (iii) the Consumer Claim Explanation Notice to the Interested Parties, by first class mail, no later than (10) business days after (i) the entry of this Order and; (ii) the Office of the United States Trustee providing Debtor's counsel with the date, time and place for holding the 341 Meeting.
7. If reasonable practicable to do so, the Debtor's mailing of the Commencement Notice, the Proof of Claim Form and the Consumer Explanation Notice, in accordance with the immediately preceding paragraph, to creditors in Canada may be delayed so that the mailing may be accompanied by such other and additional notices to creditors in Canada as may be required under the Companies' Creditors Arrangement Act or as may be ordered by any Canadian court overseeing the Debtor's ancillary case, but in no event shall the Debtor mail the Commencement Notice, the Proof of Claim Form and the Consumer Explanation Notice to creditors in Canada

later than 23 days before the date of the meeting to be held by the Office of the United States Trustee pursuant to section 341 of the Bankruptcy Code.

8. The Debtor shall cause a notice, substantially in the form of the Bar Date Notice, to be published once (i) in the national edition of The New York Times, and (ii) in the national edition of The Globe and Mail and the National Post no later than (15) business days after the date hereof.

9. The Debtor shall cause such additional notices to be published in The Globe and Mail and the National Post, for the benefit of Canadian creditors, as may be ordered by the court overseeing any ancillary proceeding commenced by the Debtor in Canada.

10. All persons or entities (other than governmental units) holding or wishing to assert claims based upon prepetition debts or liabilities against the Debtor must file written proof of such claim with the Court no later than **5:00 p.m. Eastern Standard Time on March 15, 2006** (the "Bar Date").

11. All governmental units holding or wishing to assert claims based upon prepetition debts or liabilities against the Debtor must file written proof of such claim with the Court no later than **5:00 p.m. Eastern Daylight Time on June 6, 2006** (the "Governmental Unit Bar Date").

12. All persons or entities, including governmental units, asserting a claim against the Debtor that arose prior to the Petition Date must file original written proof of such claim by using a form substantially in conformity with the Proof of Claim Form or Official Bankruptcy Form No. 10 (in either case, a "Proof of Claim") no later than the Bar Date or the Governmental Unit Bar Date (as applicable). The Proof of Claim Form must be completed, signed and delivered as follows: (a) if sent by hand or overnight courier, to **United States Bankruptcy**

Court, Southern District of New York, The Consumers Trust Claims Processing, One Bowling Green, Room 534, New York, New York 10004-1408 or (b) if sent by mail, to **United States Bankruptcy Court, Southern District of New York, The Consumers Trust Claims Processing, P.O. Box 5102, Bowling Green Station, New York, NY 10274-5102**, in either case so as to be **actually received** by the Bankruptcy Court on or before the Bar Date or the Governmental Unit Bar Date (as applicable). Neither the Debtor, the Claims and Noticing Agent, nor this Court may accept Proofs of Claim sent by facsimile or electronic mail transmission. All Proofs of Claim will be deemed timely filed only if actually received by the Court on or before the Bar Date or the Governmental Unit Bar Date (as applicable).

13. The timely filing of a Proof of Claim by a Consumer shall be without prejudice to the right of the Debtor to seek additional support from any particular Consumer should the need arise.

14. Any holder of a claim against the Debtor who is required, but fails to file a Proof of Claim will be forever barred, estopped, and permanently enjoined from asserting such claim, whether directly or indirectly, against the Debtor, its successors and assigns and its respective property (or filing a proof of claim with respect thereto); voting upon, or receiving distributions under, any plan or plans in this chapter 11 case in respect of such claims; and receiving any further notice in this chapter 11 case with respect to such claim.

15. Any creditor whose claim is listed on the Debtor's schedules of assets and liabilities, and whose claim is not listed as contingent, unliquidated or disputed, and who does not dispute the listed amount or classification of its claim (if any) is excused from the requirement of filing a Proof of Claim.

16. All forms of notice provided in the Motion are reasonably calculated to inform interested parties of the commencement of this chapter 11 case, the Bar Date, the Governmental Unit Bar Date, and the meeting to be held pursuant to section 341 of the Bankruptcy Code.

17. The requirements under section 521(1) of the Bankruptcy Code, Bankruptcy Rule 1007(a)(1) and Local Bankruptcy Rule 1007-1 to file a list of creditors with the Court are hereby waived.

18. This Court retains jurisdiction regarding all matters arising from or related to the implementation of this Order.

19. Notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion.

20. The requirement pursuant to Local Bankruptcy Rule 9013-3(b) that the Debtor file a memorandum of law in support of the Motion is hereby waived.

Dated: New York, New York
December 13, 2005

S/ Robert E. Gerber
UNITED STATES BANKRUPTCY JUDGE