

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

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

**AND IN THE MATTER OF CANADIAN SUPERIOR ENERGY INC.**

**AND IN THE MATTER OF SEEKER PETROLEUM LTD.**

**AND IN THE MATTER OF CANADIAN SUPERIOR TRINIDAD AND TOBAGO  
LIMITED**

**NOTICE OF MOTION  
(Late Claims)**

**TAKE NOTICE THAT** an application will be made on behalf of Canadian Superior Energy Inc. ("CSEI"), Seeker Petroleum Ltd. ("SPL"), and Canadian Superior Trinidad and Tobago Limited ("CSTT") (CSEI, SPL and CSTT are referred to herein collectively as "Canadian Superior") before Madam Justice C.A. Kent, in Chambers, at the Court House, in the City of Calgary, in the Province of Alberta, on Friday, the 31<sup>st</sup> day of July, 2009 at 2:00 in the afternoon, or so soon thereafter as Counsel may be heard for an Order substantially in the form attached hereto as Schedule "A":

1. abridging the time for service of this Notice of Motion and deeming service hereof to be good and sufficient;
2. giving advice and directions to Canadian Superior respecting the treatment of other claims received by Canadian Superior after the Claims Bar Date (the "Late Claims") and the resolution of any disputes in relation to the Late Claims; and
3. any other relief that this Honourable Court may deem just and appropriate under the circumstances.

**AND FURTHER TAKE NOTICE** that the grounds upon which Canadian Superior relies in support of this application include the following:

- (a) Canadian Superior requires advice and directions respecting the treatment of the Late Claims received by Canadian Superior and the resolution of any disputes in relation to the Late Claims;
- (b) The Monitor supports the within application; and
- (c) Such further and other grounds as counsel may advise and this Honourable Court may permit.

**AND FURTHER TAKE NOTICE** in support of this application, Canadian Superior intends to rely on: the Affidavit of Robb Thompson sworn July 28, 2009, the previous Affidavits and Reports of the Monitor filed herein, the pleadings and proceedings had and taken in this Action, including all prior Orders of this Honourable Court; the Alberta *Rules of Court*, the provisions of the *Companies' Creditors Arrangement Act*, and such further and other material as Counsel may advise.

**DATED** at the City of Calgary, in the Province of Alberta, this 28<sup>th</sup> day of July, 2009.

BORDEN LADNER GERVAIS LLP

Per: \_\_\_\_\_

**TRAVIS P. LYSAK**

Solicitors for Canadian Superior Energy Inc., Seeker Petroleum Ltd., and Canadian Superior Trinidad and Tobago Limited

TO: The Clerk of the Court  
AND TO: See List attached as Schedule "B"

**SCHEDULE "A"**

**Action No. 0901-02873**

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

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

**AND IN THE MATTER OF CANADIAN SUPERIOR ENERGY INC.**

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**AND IN THE MATTER OF CANADIAN SUPERIOR TRINIDAD AND TOBAGO  
LIMITED**

<b>BEFORE THE HONOURABLE</b>	)	<b>AT THE CALGARY COURTS CENTRE</b>
	)	<b>IN THE CITY OF CALGARY, IN THE</b>
<b>MADAM JUSTICE C.A. KENT</b>	)	<b>PROVINCE OF ALBERTA, ON</b>
	)	<b>FRIDAY, THE 31<sup>ST</sup> DAY OF</b>
<b>IN CHAMBER</b>	)	<b>JULY, 2009</b>

**ORDER  
(Late Claims)**

**UPON THE APPLICATION** of Canadian Superior Energy Inc. ("CSEI"), Seeker Petroleum Ltd. ("SPL"), and Canadian Superior Trinidad and Tobago Limited ("CSTT"); (CSEI, SPL, and CSTT are collectively referred to herein as "Canadian Superior"); **AND UPON** the Court's reading the Affidavit of Robb Thompson, sworn July 28, 2009 (the "Thompson Affidavit"); **AND UPON** reading the Affidavits and Reports of the Monitor previously filed herein; **AND UPON** hearing the representations of counsel for Canadian Superior, Hardie & Kelly Inc. (the "Monitor"), and other interested parties; **AND UPON** being advised that the Monitor supports the within application:

**IT IS HEREBY ORDERED THAT:**

1. Service of this application and supporting materials is hereby deemed to be good and sufficient.

2. With the consent of the Monitor, Canadian Superior is authorized and directed to accept, in whole or in part, claims it received after the Claims Bar Date (the "Late Claims") without further Order of this Honourable Court should Canadian Superior and the Monitor consider such claims to be valid.

3. Any claimant who submitted a Late Claim that is not accepted, in whole, in writing by Canadian Superior by August 7, 2009 shall file a Notice of Motion on or before August 11, 2009 returnable before Justice S.J. LoVecchio on August 14, 2009 at 10:00 in the forenoon to have its Late Claim determined.

4. Any creditor who has filed a Late Claim that is not accepted, in whole, by Canadian Superior, or adjudicated upon, by August 14, 2009, will be excluded from voting on Canadian Superior's Plan of Arrangement.

5. Service of this Order may be effected by electronic or facsimile transmission.

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**J.C.C.Q.B.A.**

Entered this \_\_\_\_ day of July, 2009.

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Clerk of the Court

Action No.: **0901-02873**

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IN THE COURT OF QUEEN'S BENCH OF  
ALBERTA

JUDICIAL DISTRICT OF CALGARY

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BETWEEN:

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

**AND IN THE MATTER OF CANADIAN  
SUPERIOR ENERGY INC.**

**AND IN THE MATTER OF SEEKER  
PETROLEUM LTD.**

**AND IN THE MATTER OF CANADIAN  
SUPERIOR TRINIDAD AND TOBAGO LIMITED**

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**ORDER  
(Late Claims)**

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**BORDEN LADNER GERVAIS LLP**

Barristers and Solicitors  
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400 Third Avenue S.W.  
Calgary, Alberta T2P 4H2

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File No. 433114-000012

**SCHEDULE "B"**

**SERVICE LIST**

## In the Matter of Canadian Superior Energy Inc. et al

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(As at July 23, 2009)

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Action No.: 0901-02873

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IN THE COURT OF QUEEN'S BENCH  
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