

If you are served in another province or territory of Canada or in the United States of America, the period for serving and filing your third party defence is forty days. If you are served outside Canada and the United States of America, the period is sixty days.

Instead of serving and filing a third party defence, you may serve and file a notice of intent to defend in Form 18B prescribed by the Rules of Civil Procedure. This will entitle you to ten more days within which to serve and file your third party defence.

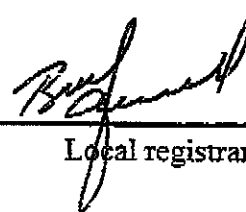
YOU MAY ALSO DEFEND the action by the plaintiffs against the defendants by serving and filing a statement of defence within the time for serving and filing your third party defence.

IF YOU FAIL TO DEFEND THIS THIRD PARTY CLAIM, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

IF YOU PAY THE AMOUNT OF THE THIRD PARTY CLAIM AGAINST YOU, and \$1,000.00 for costs, within the time for serving and filing your third party defence, you may move to have the third party claim dismissed by the court. If you believe the amount claimed for costs is excessive, you may pay the amount of the third party claim and \$400.00 for costs and have the costs assessed by the court.

Date March 13, 2008

Issued by



Local registrar

Address of 393 University Avenue
court office Toronto, ON

TO: **LITTLE METAL PRODUCTS LIMITED**
1184 Queenston Road
Cambridge, ON N3H 3K9

AND TO: **HAVLIK ENTERPRISES LIMITED**
311 Montrose Street
Cambridge, ON N3H 5C6

AND TO: **JAMES DAVID LINTON AND GWENDOLYN DAVIDSON-HAVLIK,**
Executors of the Estate of Jaroslav Jan Havlik
311 Montrose Street
Cambridge, ON N3H 5C6

CLAIM

1. The defendants claim against the third parties:
 - (a) contribution, indemnification and other relief over to the full extent that the defendants may be held to be liable to the plaintiffs;
 - (b) pre-judgment and post-judgment interest on the above claimed damages pursuant to the *Courts of Justice Act*, R.S.O. 1990, c. C.43, as amended;
 - (c) costs of this third party claim and the plaintiffs' action on a substantial indemnity basis including Goods and Services Tax; and
 - (d) such further and other relief as this Honourable Court deems just.

2. Northstar Aerospace (Canada) Inc. ("Northstar Canada") is an Ontario corporation with its head office at Toronto and is in the business of manufacturing and assembling aerospace components.

3. Northstar Aerospace Inc. is an Ontario corporation listed on the Toronto Stock Exchange with its head office at Toronto. Through its various subsidiaries it is in the business of supplying a wide range of components and assemblies for commercial and military aerospace markets, and also of providing machinery and fabrication services for a variety of aerospace applications and maintenance, repair and overhaul services. Northstar Canada is a wholly owned subsidiary of Northstar Aerospace Inc.

4. Little Metal Products Limited was a corporation incorporated pursuant to the laws of Ontario and was voluntarily dissolved effective September 30, 2005. This action is brought against Little Metal Products Limited pursuant to subsection 242(1)(b) of the *Ontario Business Corporations Act*, R.S.O. 1990, c.B-16, as amended. Little Metal Products Limited was a predecessor in title to Northstar Canada of part of the lands municipally known as 695 Bishop Street, North, Cambridge, Ontario.

5. Havlik Enterprises Limited, formerly Williams Machines Limited, was a corporation incorporated pursuant to the laws of Ontario and was voluntarily dissolved effective October

8, 1998. This action is brought against Havlik Enterprises Limited pursuant to subsection 242(1)(b) of the *Ontario Business Corporations Act*, R.S.O. 1990, c.B-16, as amended. Havlik Enterprises Limited was a predecessor in title to Northstar Canada of part of the lands municipally known as 695 Bishop Street, North, Cambridge, Ontario.

6. James David Linton and Mary Gwendolyn Davidson-Havlik are the executors of the Estate of Jaroslav Jan Havlik ("Havlik"). Havlik was a predecessor in title to Northstar Canada of part of the lands municipally known as 695 Bishop Street North, Cambridge, Ontario.

7. The defendants plead and rely upon the contents of their Amended Statement of Defence in the plaintiffs' action.

8. The defendants state that prior to the acquisition of the lands that comprise the defendants' facility at 695 Bishop Street North, Cambridge (the "Cambridge Plant") by Northstar Canada, the third parties owned, possessed and occupied those lands and conducted various machinery and manufacturing operations.

9. The third parties used TCE and/or chromium during the period of their respective ownership, possession, occupation and operation of the Cambridge Plant, and in the course thereof they improperly used, handled, applied, stored and disposed of TCE and chromium at or near the Bishop Street Plant.

10. The defendants dispute the plaintiffs' claim on the grounds pleaded in their Amended Statement of Defence but in the event that this Honourable Court should find the defendants responsible, to any extent, to the plaintiffs, and to the extent a judgment or costs are awarded against the defendants in the plaintiffs' action, the defendants claim contribution, indemnity and relief over as against the third parties with respect thereto.

11. The defendants plead and rely upon the *Negligence Act*, R.S.O. 1990, c. N.1.

12. The defendants request that this third party claim be tried at Toronto.

March 13, 2008

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Solicitors for the Defendants

DEREK ASHLEY
WAMBOLDT et al.
Plaintiffs

and
NORTHSTAR AEROSPACE
(CANADA) INC. et al.
Defendants

and
LITTLE METAL
PRODUCTS LIMITED et al.
Third Parties

Court File No: 08-CV-307624CPA

ONTARIO
SUPERIOR COURT OF JUSTICE
Proceeding commenced at Toronto

AMENDED
THIRD PARTY CLAIM

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