

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**AMENDED
JUDGMENT IN A CIVIL CASE**

Trafalgar Power Inc. and
Christine Falls Corporation,

Plaintiffs,

vs.

CASE NUMBER: 5:99-CV-1238
(Lead Case)

Aetna Life Insurance Company;
Algonquin Power Corporation, Inc.;
Algonquin Power Income Fund; and
Algonquin Power Fund (Canada) Inc.

Defendants.

Algonquin Power Corporation, Inc.;
Algonquin Power Income Fund; and
Franklin Industrial Complex, Inc.

5:00-CV-1246
(Member Case)

Plaintiffs,

vs.

Trafalgar Power Inc.; Christine
Falls Corporation; and Pine Run
of Virginia, Inc.,

Defendants.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Trafalgar’s motion to amend the complaint is DENIED; Algonquin’s motion for summary judgment is GRANTED; All of the remaining claims brought by Trafalgar are DISMISSED;

All of the above pursuant to the order of the Honorable Judge DAVID N. HURD, dated the 6th day of November, 2008; and it is further

ORDERED that Algonquin's motion for summary judgment on its counterclaims is GRANTED; and it is DECLARED that Trafalgar is in DEFAULT under the terms of the Indenture and related loan documents; and Algonquin is entitled to enforce its rights and remedies as against the pledged collateral, including the stock of TPI and CFC;

All of the above pursuant to the order of the Honorable Judge DAVID N. HURD, dated the 3rd day of April, 2012.

DATED: April 3, 2012


Clerk of Court

s/

Christine Mergenthaler
Deputy Clerk