

SUMMARY OF CURRENT DOCUMENT	
Name of Issuing Party or Person:	PricewaterhouseCoopers Inc., in its capacity as Receiver of Hickman Equipment 1985) Limited ("Hickman Equipment") and as Trustee of the Estate of Hickman Equipment in Bankruptcy
Date of Document:	July 26, 2013
Summary of Order/Relief Sought or statement of purpose in filing:	Directions concerning completion of the Administration of the Estates of Hickman Equipment in Receivership and in Bankruptcy; Taxation and approval of the Receiver's final statements of receipts and disbursements including taxation and approval of the Receiver's fees and disbursements, and of the fees of the Receiver's counsel; Approval of the Receiver's recommendations for distribution of the funds remaining in the Receivership after payment of its fees and disbursements as taxed and allowed and for the discharge of the Applicant as Receiver and Trustee.

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IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

IN THE MATTER OF a Court ordered
Receivership of Hickman Equipment (1985) Limited
("Hickman Equipment") pursuant to Rule 25 of the
Rules of the Supreme Court, 1986 under the
Judicature Act, R.S.N.L. 1990, c. J-4, as amended

AND IN THE MATTER OF the *Bankruptcy and
Insolvency Act*, Chapter B-3 of the Revised
Statutes of Canada, 1985, as amended

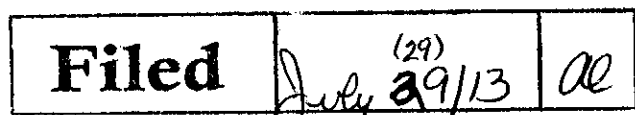
ORDER


BEFORE THE HONOURABLE Justice Robert Hall

Whereas:

1. This matter having come on for hearing on the 25th day of July, 2013; and
2. The parties listed in Schedule "A" to this Order having been served with notice of this application in the manner ordered by this Court in these proceedings;

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AND UPON having read the Thirty-Ninth Report of the Receiver dated July, 12 2013, the Affidavit of Carl A. Holm, Q.C., sworn the 12th day of July, 2013 and other materials on file herein.

AND UPON having heard Carl A. Holm, Q.C. on behalf of PricewaterhouseCoopers Inc. in its capacities as Receiver of Hickman Equipment (1985) Limited and Trustee of the Estate of Hickman Equipment (1985) Limited in Bankruptcy and all other counsel appearing on the Application being, counsel for The Attorney General of the Province of Newfoundland and Labrador, Group Holdings Limited, Mercedes Benz, and the successors to John Deere Ltd and John Deere Credit Inc.

NOW UPON MOTION

IT IS THIS DAY Ordered AS FOLLOWS:

1. The time for service of the Application herein be and is hereby abridged and validated as required such that notice of this Application given to the various Interested Parties be deemed adequate notice of the Application for purposes of hearing this matter by this Honourable Court.
2. The application of The Attorney General of Newfoundland and Labrador to intervene is granted.
3. The Applicant be and is hereby authorized and directed to:
 - a. Pay the sum of \$119,768.19 received by it from the Bank of Canada, less the sum of \$3,593.00, the cost of a bond required by the Bank of Canada, into court in this proceeding to be held by this Honourable Court pending determination of the person or persons entitled to it;
 - b. Give notice to Mercedes Benz Financial Services, Group Holdings Limited, the successor to 11422 Newfoundland Limited, and all secured creditors of Hickman Equipment (1985) Limited (collectively the "Secured Creditors") of the payment into court and the right of any Secured Creditor claiming an interest in the sum paid into court to apply to the court, on or before September 15, 2013, for an order directing payment of the said sum to the applying Secured Creditor.
4. PricewaterhouseCoopers Inc., in its capacities as Receiver and Trustee of the Estates in Receivership and Bankruptcy of Hickman Equipment (1985) Limited be and is hereby authorized and directed to discontinue the action commenced by it in 2003-OIT-4587 against Deloitte & Touche and Deloitte and Touche LLP.
5. PricewaterhouseCoopers Inc., (PWC) in its capacities as Receiver and Trustee of the Estates in Receivership and Bankruptcy of Hickman Equipment (1985) Limited is authorized to proceed to deal with the books, records and documents of Hickman Equipment (the "Records") in accordance with Rule 68 of the Bankruptcy and





Insolvency General Rules provided that it shall retain possession of the Records for 60 days from the date of this Order and if within that 60 day period The Attorney General of the Province of Newfoundland and Labrador or the RCMP take possession of the Records or , agreeing to pay PWC \$500 a month plus applicable HST, request PWC to retain possession of the Records, the Records shall not be returned or destroyed pursuant to Rule 68 until The Attorney General of the Province of Newfoundland and Labrador or the RCMP , as the case may be, advise PWC that it is no longer necessary for the Records to be retained.

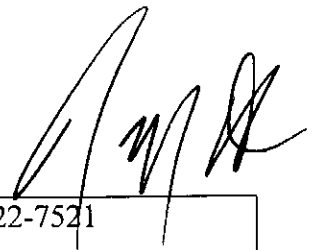
6. The accounts of PricewaterhouseCoopers Inc., in its capacity as Receiver of Hickman Equipment (1985) Limited for the period June 30, 2007 to July 5, 2013 attached as Appendix "I" to the Receiver's Thirty-Ninth Report dated July 12, 2013 and an allowance of up to \$15,000. plus HST for its fees and disbursements from July 5, 2013 to the date of its discharge as Receiver and Trustee of Hickman Equipment (1985) Limited be and are hereby approved.
7. The Accounts of PricewaterhouseCoopers Inc.'s legal counsel, Wickwire Holm from October 24, 2004 to June 30, 2013 as attached to the affidavit of Carl A. Holm Q.C. sworn July 12, 2013 on file herein together with an allowance of up to \$15,000.00 plus HST for Wickwire Holm's fees and disbursements from June 30, 2013 to the date of PricewaterhouseCoopers Inc.'s discharge be and are hereby approved.
8. The Statement of Receipts and Disbursements of PricewaterhouseCoopers Inc. in its capacity as Receiver of Hickman Equipment (1985) Limited for the period March 13, 2002 to and including July 5, 2013 attached as Exhibit "H" to the Receiver's Thirty-Ninth Report dated July 12, 2013 as amended hereby by removing the Receiver and Legal Fees of \$3,095. which appear as an expense under the heading " Accounting For Bank of Canada Unclaimed Funds" and adding those fees to the Receiver and Legal fees set out under the Heading DISBURSEMENTS, with the intention that the \$3,095. shall be paid out of the Remaining Trust Funds not out of the Unclaimed Funds obtained from the Bank of Canada, be and is hereby approved.
9. PricewaterhouseCoopers Inc. in its capacity as Receiver of Hickman Equipment (1985) Limited is hereby authorized and directed to distribute the Remaining Trust Funds standing to the credit of the Receivership, other than the amounts referred to in paragraph 2 of this Order, net of the accounts of the Receiver and its legal counsel as approved by this Honourable Court and the allowances provided in paragraphs 6 and 7 hereof, and any additional funds it may receive to the credit of the Receivership, to the creditors of Hickman Equipment (1985) Limited listed in Appendix "J" to the Receiver's Thirty-Ninth Report in the percentages set out in the said Appendix "J".
10. PricewaterhouseCoopers Inc. be and is hereby discharged as Receiver of Hickman Equipment (1985) Limited and as Trustee of the Estate of Hickman Equipment (1985) Limited in Bankruptcy effective immediately on its filing an affidavit with this Honourable Court attesting to the fact that it has:
 - a. Paid the amounts received by it from the Bank of Canada, less the sum of \$3,593. into court;



- b. Given notice of the payment into court to the Secured Creditors of Hickman Equipment (1985) Limited in accordance with paragraph 3(b) of this Order;
- c. Discontinued the actions commenced by it against Deloitte & Touche and Deloitte & Touche LLP; and
- d. Distributed the Remaining Trust Funds standing to the credit of the Receivership to the Secured Creditors of Hickman Equipment (1985) Limited in accordance with paragraph 8 of this Order.

Dated at St. John's in the Province of Newfoundland and Labrador this 26th day of July, 2013.

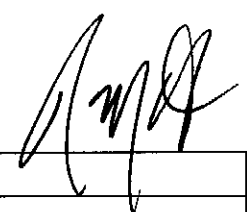

Registrar



ABN Amro Bank Canada/ABN Amro Leasing & Tramac Equipment Ltd.	Aubrey L. Bonnell, Q.C. Brian Winsor David Timms Brent Keenan	709-722-7521 905-331-2020
Bombardier Capital Leasing & Culease Financial Services	John French	709-754-2701
Caterpillar Equipment	Colin D. Granr	905-849-5512
CAT Finance	James Smyth, Q.C. Philip Warren	709-754-5662 709-753-6226
Cedarrapids	Nathan Mixdorf Francoise Belzil	319-399-4760 780-413-3152
CIBC Equipment Finance Ltd. / CIT Financial Ltd.	Gregory Dickie	709-576-1273
Contract Funding Group Inc.	Mark G. Klar	406-218-1831
Daimler Chrysler Financial Services/Daimler Chrysler Capital Services/Mercedes – Benz of Canada	Philip Buckingham Peter O’Flaherty Elaine Gray	709-722-4720 709-722-4720 416-863-3527
Fabtek Corp.	Linc A. Rogers Rhodie E. Mercer, Q.C.	416-863-2653 709-726-5705
GE Capital	Harvey Chaiton Frederic Scalabrini	416-222-8402 905-319-4855
GMAC	Thomas R. Kendell, Q.C.	709-722-1763
Hickman Equipment/Hickman Holdings Ltd.	Griffith D. Roberts	709-738-7999
Ingersoll-Rand Canada Inc.	R. Barry Learmonth Jonathan Wigley	709-739-8151 416-865-6636
John Deere Ltd. / John Deere Credit Inc.	Neil L. Jacobs Bruce Grant/Maureen Ryan	709-722-4565 709-722-4565
MTC Leasing Inc. / National Leasing Group Inc.	R. Paul Burgess	709-754-0915
ORIX Financial Services	Donald Yaeck	416-236-3010



Canada Ltd.		
Royal Bank of Canada	Thomas O. Boyne, Q.C.	902-463-7500
TD Asset Finance Corp.	D. Bradford L. Wicks	709-753-5221
Wells Fargo Equipment Finance Co.	Richard B. Jones	416-863-0092



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