

SUMMARY OF CURRENT DOCUMENT					
Name of Issuing Party or Person		PricewaterhouseCoopers Inc., as Trustee and Receiver of Hickman Equipment (1985) Limited			
Date of Document:		2002-10-25			
Summary of Order/Relief Sought or Statement of Purpose in Filing:		Application of GMAC for the payment to GMAC of the Proceeds from the sale by the Receiver of:			
		Stock #	Make	Serial#	Proceeds
		COO1334	JD	FF0450XO90627	\$240,000.
		COO1343	JD	FF0200X501969	\$131,100.
		COO1273	JD	DWTC62H579785	<u>\$155,000.</u>
		\$526,100			
Court Sub-File Number		7.20			

**2002 01T 0352**  
**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

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**SUBMISSION ON BEHALF OF PRICEWATERHOUSECOOPERS INC. AS THE COURT APPOINTED RECEIVER TO THE INTERLOCUTORY APPLICATION  
 (INTER PARTES) OF  
 GENERAL MOTORS ACCEPTANCE CORPORATION OF CANADA LTD.  
 DATED OCTOBER 16, 2002**

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My Lord:

1. I am counsel retained by the Receiver to act for it in respect of the Receivership and Bankruptcy of Hickman Equipment (1985) Limited.
2. The Receiver had asked me to deal with issues relating to:

- (a) the application of the Superintendent's Levy to amounts realized by the Receiver; and
  - (b) the claims, *inter alia*, of John Deere Limited ("JDL") in respect of which some creditors felt Patterson Palmer may have or have had a conflict.
- 3. Through my inadvertence, the relevance of the Levy and the assertion of a secured claim by JDL in the units which are the subject of this application were not dealt with in the Receiver's reply.
- 4. I have today filed affidavits of James Kirby in respect of JDL and the Superintendent's Levy.
- 5. The affidavits filed and this submission is intended to supplement the Reply dated October 23, 2002 filed on behalf of the Receiver by Patterson Palmer.

ALL of which is respectfully submitted, October 25, 2002.

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of Counsel for  
PricewaterhouseCoopers Inc.  
in its capacities as Court Appointed Receiver  
and Trustee of the estate of  
Hickman Equipment (1985) Limited in Bankruptcy