

17-Sep-2003 14:47

From=

T-409 P.002/004 F-859

SUMMARY OF CURRENT DOCUMENT**NAME OF ISSUING PARTY OR PERSON:****CATERPILLAR
FINANCIAL SERVICES
LIMITED****("CFSL")****DATE OF DOCUMENT:****4th SEPTEMBER 2003****SUMMARY OF ORDER/RELIEF SOUGHT:****APPLICATION OF CFSL
FOR PAYMENT TO CFSL
OF THE PROCEEDS OF
THE SALE BY THE
RECEIVER OF THE 1998
TIMBERJACK, MODEL
610 FORWARDER
("Timberjack"), SERIAL
NUMBER 993395****COURT SUB-FILE NO.:****7:29****2002 01T 0352****IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER of a Court ordered Receivership
of Hickman Equipment (1985) Limited
("Hickman Equipment") pursuant to Rule 25 of
the Rules of 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 R.S.C. 1985, c.B-3, as
amended ("the BIA")

-AND-

District of Newfoundland and Labrador
Court No. 9733
Estate No. 100813

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
IN BANKRUPTCY AND INSOLVENCY**

IN THE MATTER of the Bankruptcy of
Hickman Equipment (1985) Limited
("Hickman Equipment"), carrying on business
at 1269 Topsail Road, in the City of Mt. Pearl,
in the Province of Newfoundland and Labrador

Filed September 17/03 *JK*

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CONSENT ORDER**BEFORE THE HONOURABLE MR. JUSTICE HALL:**

UPON IT APPEARING THAT Caterpillar Financial Services Limited ("CFSL") has made Application for payment of the proceeds of the sale by the receiver of the 1998 Timberjack, model 610 forwarder (Timberjack"), serial number 993395.

AND UPON HEARING James J. Smyth, of Counsel for CFSL, and Bruce Grant of Counsel for John Deere Credit Inc., and Geoffrey Spencer of Counsel for the Canadian Imperial Bank of Commerce, and Anna Locke of Counsel for the Receiver, Price WaterhouseCoopers Inc.

IT IS THIS DAY ORDERED THAT:

1. PriceWaterHouseCoopers Inc. pay an amount equal to eighty five percent (85%) of the proceeds from the sale of the Timberjack as follows:
 - (1) Fifty percent (50%) of the net proceeds from the Timberjack to Caterpillar Financial Services Limited;
 - (2) Twenty five (25%) of the net proceeds from the Timberjack to John Deere Credit Inc.;
 - (3) Twenty five (25%) of the net proceeds from the Timberjack to the Canadian Imperial Bank of Commerce.
2. The remaining fifteen percent (15%) of the proceeds from the sale of the Timberjack be heldback by PriceWaterHouse Coopers Inc. as a contribution to costs pursuant to the Cost Allocation Plan.

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DATED at St. John's, in the Province of Newfoundland and Labrador, this 17th day of
September, 2003.

Elaine Burke
Asst Deputy Registrar