

| SUMMARY OF CURRENT DOCUMENT | | | | | | | | | |
|--|--|--------------|--|-------|------------|----------|--------------------|----------|--------------|
| Name of Issuing Person or Party | Hickman Motors Limited | | | | | | | | |
| Date of Document | February 7, 2003 | | | | | | | | |
| Reference Application | John Deere Credit Inc. | | | | | | | | |
| Summary of Order/ Relief Sought or Statement of Purpose for Filing | Reply of Hickman Motors Limited to <i>Interlocutory Application</i> (Inter Partes) of John Deere Credit Inc. in respect of the following assets of Hickman Equipment: <table><tr><td>Model</td><td>Serial No.</td><td>Proceeds</td></tr><tr><td>TJ 1110B Forwarder</td><td>10DH1027</td><td>\$190,000.00</td></tr></table> | | | Model | Serial No. | Proceeds | TJ 1110B Forwarder | 10DH1027 | \$190,000.00 |
| Model | Serial No. | Proceeds | | | | | | | |
| TJ 1110B Forwarder | 10DH1027 | \$190,000.00 | | | | | | | |
| Court Sub-File Number | 7.37 | | | | | | | | |

2002 01T 0352

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

AND 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 (the "BIA")

**REPLY OF HICKMAN MOTORS LIMITED
TO THE INTERLOCUTORY APPLICATION (*Inter Partes*)
OF JOHN DEERE CREDIT INC. DATED JANUARY 16, 2003**

The Reply of Hickman Motors Limited ("Hickman Motors") says as follows:

1. Hickman Motors Limited is a Newfoundland body corporate formed effective January 1, 2003 on the amalgamation of Hickman Leasing Limited and Hickman Motors Limited.

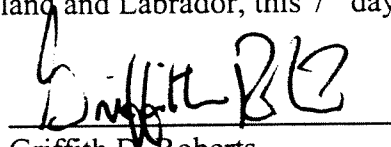
2. Subject to any interest claimed by Canadian Imperial Bank of Commerce, Hickman Motors Limited claims title to and a prior interest in one of vehicles that are the subject matter of the within application:

| Model | Serial No. | Proceeds |
|----------------------------|------------|--------------|
| TimberJack 1110B Forwarder | 10DH1027 | \$190,000.00 |

(the "HML Vehicle").

3. Hickman Motors submits that the HML Vehicle was sold by Hickman Equipment to it in the ordinary course of Hickman Equipment's business and that, pursuant to subsection 31(2) of the *Personal Property Security Act* (Newfoundland and Labrador), Hickman Motors acquired the HML Vehicle free of any security interest given by Hickman Equipment in the HML Vehicle, including that asserted by John Deere Credit Inc.
4. Hickman Motors therefore requests an Order from this Honourable Court approving, subject to any interest claimed by Canadian Imperial Bank of Commerce, the payment by the Receiver to Hickman Motors of the proceeds from the sale of the HML Vehicle.

DATED at St. John's, in the Province of Newfoundland and Labrador, this 7th day of February, 2003.



Griffith D. Roberts
COX HANSON O'REILLY MATHESON
Solicitors for Hickman Motors Limited
whose address for service is
Suite 401, Scotia Centre
235 Water Street
St. John's, NL A1C 1B6