

SUMMARY OF CURRENT DOCUMENT	
Name of Issuing Party or Person:	Canadian Imperial Bank of Commerce ("CIBC")
Date of Document:	February 7 th , 2003
Summary of Order/Relief Sought or statement of purpose in filing:	Notice of Objection by CIBC: CIBC objects to the Notice of Appeal and the Interlocutory Application (Inter Partes) of Caterpillar Financial Services Limited ("Caterpillar") for an Order permitting the stay of proceedings to be lifted with respect to Caterpillar's ability to register a Financing Change Statement at the Personal Property Security Registry ("PPR")
Court Sub-File Number	7:29

2002 01T 0352**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**

IN THE MATTER OF the *Companies' Creditors Arrangement Act*, Chapter C-36 of the Revised Statutes of Canada 1985, as amended

AND IN THE MATTER OF the plan of compromise or arrangement of Hickman Equipment (1985) Limited

AND IN THE MATTER OF Rule 25 of the *Rules of the Supreme Court*, 1986 under the *Judicature Act*, R.S.N. 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

AND

**District of Newfoundland
Court No. 9733
Estate No. 100813**

NOTICE OF OBJECTION

BENSON•MYLES
Suite 900, Atlantic Place
P.O. Box 1538
St. John's, NL A1C 5N8
Attention: Geoffrey L. Spencer
Solicitors for Canadian Imperial Bank of Commerce

2002 01T 0352

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NOTICE OF OBJECTION

1. CIBC objects to the Notice of Appeal and the Interlocutory Application (Inter Partes) of Caterpillar for an Order permitting the stay of proceedings to be lifted with respect to Caterpillar's ability to register a Financing Change Statement at the PPR for the reasons set out in the Memorandum of Fact and Law and supporting Affidavit of Jennifer Lee filed by CIBC in response to the appeal by CIBC Equipment Finance Limited in Court Sub-File No. 7:30.
2. CIBC repeats the contents of the materials which it filed in Court Sub-File No. 7:30 and requests that Caterpillar's Appeal and Application be dismissed.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

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

BENSON•MYLES

Per: 
Geoffrey L. Spender

Solicitors for Canadian Imperial
Bank of Commerce
whose address for service is:
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St. John's, NL A1C 5N8

To:

ABN Amro Bank Canada/
ABN Amro Leasing &
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Bombardier Capital Leasing
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John French

754-2701

Caterpillar Equipment

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CIBC Equipment Finance
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Gregory W. Dickie

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Contract Funding Group Inc.

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Group Holdings Ltd./ Hickman Equipment/ Hickman Holdings Ltd.	Robert Stack/ Griffith D. Roberts	726-2992
Ingersoll-Rand Canada Inc.	R. Barry Learmonth, Q.C. Jonathan Wigley	739-8151 416-863-6275
John Deere Ltd./ John Deere Credit Inc.	Neil L. Jacobs/ Bruce Grant/ Maureen Ryan	722-4565
MTC Leasing Inc./ National Leasing Group Inc.	R. Paul Burgess	754-0915
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