

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 Interlocutory Application (Inter Partes) of CIT Financial Limited ("CIT") for payment to CIT of the proceeds from the sale by the Receiver of the property referenced in the Application
Court Sub-File Number	7:32

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

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

1. CIBC objects to the Interlocutory Application (Inter Partes) of CIT for payment to CIT of the proceeds from the sale by the Receiver of the property referenced in the Application for the reasons set out in CIBC's Notice of Objection, and supporting Affidavit of Jennifer Lee, filed in response to the Interlocutory Application (Inter Partes) of John Deere Credit Inc., Court Sub-File No. 7:25.
2. CIBC repeats the contents of the materials which it filed in Court Sub-File No. 7:25 and requests that CIT's Application for Proceeds be dismissed.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

- 2 -

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

BENSON-MYLES

Per: Geoffrey L. Spencer
Geoffrey L. Spencer
Solicitors for Canadian Imperial
Bank of Commerce
whose address for service is:
Suite 900, Atlantic Place
P.O. Box 1538
St. John's, NL A1C 5N8

To:

ABN Amro Bank Canada/ ABN Amro Leasing & Tramac Equipment Ltd.	Aubrey L. Bonnell, Q.C./ Brian Winsor David Timms Brent Keenan	722-7521 905-331-2020
Bombardier Capital Leasing & Culease Financial Services	John French	754-2701
Caterpillar Equipment	Colin D. Grant	905-849-5512
CAT Finance	James Smyth, Q.C./ Philip Warren	754-5662
Cedarrapids	Nathan Mixdorf/ Francoise Belzil	319-399-4760 780-413-3152
CIBC Equipment Finance Ltd./CIT Financial Ltd./	Gregory W. Dickie	722-9210
Contract Funding Group Inc.	Mark G. Klar	416-218-1831
Daimler Chrysler Financial Services/ Daimler Chrysler Capital Services/ Mercedes- Benz of Canada Inc.	Philip Buckingham/ Peter O'Flaherty Elaine Gray	722-4720 416-863-3527
Fabtek Corp.	Linc A. Rogers Rhodie E. Mercer, Q.C.	416-863-2653 726-5705

- 3 -

GE Capital	Harvey Chaiton Frederic Scalabrin	416-218-1849 905-319-4855
GMAC	Thomas R. Kendall, Q.C.	722-1763
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
ORIX Financial Services Canada Ltd.	Donald Yaeck	416-236-3010
Goodman Associates	Paul G. Goodman	902-425-3777
PricewaterhouseCoopers Inc.	Frederick Constantine Carl Holm	722-0483 902-429-8215
Royal Bank of Canada	Thomas O. Boyne, Q.C.	902-463-7500
TD Asset Finance Corp.	D. Bradford L. Wicks	753-5221
Wells Fargo Equipment Finance Co.	Richard B. Jones	416-361-6303