

<b>SUMMARY OF CURRENT DOCUMENT</b>	
<b>Name of Issuing Party or Person:</b>	Canadian Imperial Bank of Commerce ("CIBC")
<b>Date of Document:</b>	February 7 <sup>th</sup> , 2003
<b>Summary of Order/Relief Sought or statement of purpose in filing:</b>	Notice of Objection by CIBC: CIBC objects to the Interlocutory Application (Inter Partes) of Royal Bank of Canada ("RBC") for payment to RBC of the proceeds from the sale by the Receiver of the property referenced in the Application
<b>Court Sub-File Number</b>	7:43

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**

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**NOTICE OF OBJECTION**

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

**2002 01T 0352**

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Court No. 9733  
Estate No. 100813**

**NOTICE OF OBJECTION**

1. CIBC objects to the Interlocutory Application (Inter Partes) of RBC for payment to RBC 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 RBC's Application for Proceeds 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 7<sup>th</sup> day of February, 2003.

**BENSON•MYLES**

Per:   
Geoffrey D. 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/  
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416-863-3527

Fabtek Corp.

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726-5705

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GE Capital	Harvey Chaiton Frederic Scalabrini	416-218-1849 905-319-4855
GMAC	Thomas R. Kendell, 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