

| SUMMARY OF CURRENT DOCUMENT | |
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| 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 CIBC Equipment Finance Limited ("CEFL") for payment to CEFL of the proceeds from the sale by the Receiver of the property referenced in the Application |
| Court Sub-File Number | 7:46 |

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

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AND

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

NOTICE OF OBJECTION


1. CIBC objects to the Interlocutory Application (Inter Partes) of CEFL for payment to CEFL 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 CEFL'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
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:

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| 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 -

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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 |