



To: Doug Beatty/Tracy Fulham  
 Company: PricewaterhouseCoopers  
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From: James A. Kirby, CA, CIRP  
 Fax: (709) 722-1428

Date: March 13, 2003

No. of Pages:  
 (incl. this page) 5

If this fax is incomplete or illegible, please telephone:

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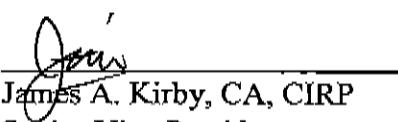
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**Re: Hickman Equipment**

Please post the attached to the web site:

Sub-File #	Creditor	Description
7:45	General Motors Acceptance Corporation of Canada	Reply of GMAC to an Interlocutory Application of MTC Leasing Inc. for payment to MTC Leasing Inc. of the proceeds from the sale by the Receiver of the equipment referenced in the Application.

Yours very truly,  
**PricewaterhouseCoopers Inc.**  
**Receiver**

Per:   
 James A. Kirby, CA, CIRP  
 Senior Vice-President

JAK/cmc  
 Encl.

SUMMARY OF CURRENT DOCUMENT	
<b>Name of Issuing Party</b>	<b>General Motors Acceptance Corporation of Canada, Limited ("GMAC")</b>
<b>Date of Document</b>	<b>7 February 2003</b>
<b>Summary of Order/Relief Sought or Statement of Purpose of Filing</b>	<b>Reply of GMAC to an Interlocutory Application of MTC Leasing Inc. for payment to MTC Leasing Inc. of the proceeds from the sale by the Receiver of the equipment referenced in the Application</b>
<b>Court Sub-File Number</b>	<b>7:45</b>

**2002 01 T0352**

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR  
TRIAL DIVISION**

**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")

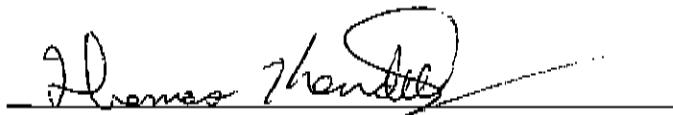
**REPLY OF GMAC**

The Respondent GMAC says:

1. That GMAC has a first priority secured interest in the subject units by virtue of an agreement made between GMAC and Hickman Equipment on July 25<sup>th</sup> 2000 (the "Security Agreement (Leasing)") which agreement was perfected under the PPSA pursuant to a financing statement registered on December 13<sup>th</sup> 1999 in the PPSA registry being number 1081.

2. That GMAC has not waived or subordinated its security interest in the subject units.

All of which is respectfully submitted, this 7<sup>th</sup> day of February, 2003.



Thomas R. Kendall, Q.C.  
McInnes Cooper  
Solicitor for the Respondent, General  
Motors Acceptance Corporation of  
Canada Limited  
Whose address for service is:  
Suite 500, Baine Johnston Centre  
10 Fort William Place  
St. John's, NL

To: Paul Burgess  
Martin Whalen Hennebury & Stamp  
15 Church Hill  
St. John's, NL  
Solicitors for the Applicant, MTC Leasing Inc.

To: The Registrar  
Supreme Court of Newfoundland and Labrador  
Duckworth Street  
St. John's, NL

<b>SUMMARY OF CURRENT DOCUMENT</b>	
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<b>Court Sub-File Number</b>	7:45

**2002 01 T0352**

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**

**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**, c. B-3, as amended  
(the "BIA")

**AFFIDAVIT**

I, Thomas R. Kendell, of the City of St. John's, in the Province of Newfoundland and Labrador, Canada, make oath and say as follows:

1. That I am a partner with the law firm McInnes Cooper, solicitor for General Motors Acceptance Corporation of Canada, Limited, and as such have a knowledge of the facts deposed to except where otherwise stated to be based on information and belief.
2. That I have read the foregoing Reply.

3. That the facts noted therein are true to the best of my knowledge, information and belief and that I make this Affidavit in support of the within Reply.

**SWORN TO** before me at St. John's  
in the Province of Newfoundland  
and Labrador, this 7<sup>th</sup> day of  
February, 2003:

Thomas Threlkeld

**THOMAS R. KENDELL, Q.C.**

Macpherson  
SARROIS

(O:\tkende\NTK - 1041 - QMAC - Group Holdings\Pleadings\Reply - MTC.wpd)